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Regulations

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Determination)

PART 802—SUGAR DETERMINATION DOMESTIC BEET SUGAR, 1943 CROP

Determination of proportionate shares for farms in the domestic beet sugar area for the 1943 crop.

Pursuant to the provisions of section 302 (a) of the Sugar Act of 1937, as amended, the following determination is hereby issued:

§ 802.17f *Determination of proportionate shares for farms in the domestic beet sugar area for the 1943 crop.* The proportionate share for the 1943 crop for each farm in the domestic beet sugar area shall be the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1943 crop season.

(Sec. 302, 50 Stat. 910; 7 U.S.C. 1940 ed. 1132; E.O. 9322, as amended by E.O. 9334)

Issued this 17th day of November 1943.

[SEAL] ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 43-18591; Filed, November 18, 1943;
11:27 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[General Order 16]

PART 503—GENERAL ORDERS

REPORT REGARDING INTERESTS OF FOREIGN NATIONALS IN TRADE-MARKS AND COM- MERCIAL PRINTS AND LABELS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.16 *General Order 16.* (a) Every person having or claiming any interest in any trade-mark, whether or not registered in the United States Patent Office, or in any commercial print or label subject to copyright under the laws of the United States, shall file a report on or before February 1, 1944 with respect to each such trade-mark, commercial print or label, if:

(1) Such person has obtained any interest, whether or not recorded in the United States Patent Office or in the United States Copyright Office, in such trade-mark, commercial print or label from any designated foreign national or anyone on his behalf at any time on or since January 1, 1939, or

(2) Regardless of the date on which such interest was obtained, (i) any designated foreign national or anyone on his behalf holds or claims on the date of the report made hereunder any interest in such trade-mark, commercial print or label, and (ii) monies or other things of value with respect thereto, exclusive of offset, were or are owing, have been paid or have become payable by such person to any designated foreign national or to anyone on his behalf at any time from January 1, 1939, to the date of the report made hereunder.

Such report shall be executed in duplicate and under oath on Form APC 31 (which is hereby adopted and made a part of this regulation), shall be filed with the Office of Alien Property Custodian, Washington, D. C., and shall contain complete information as provided in said form.

(b) If any trade-mark, commercial print or label, otherwise required to be reported under paragraph (a) (2) above, is not reported because no monies or other things of value with respect thereto were owing, paid or had become payable from January 1, 1939, to the date of any report otherwise required thereunder, and monies or other things of value with respect to such trade-mark, commercial print or label, exclusive of offset, subsequently are paid or become payable by any person having or claiming any interest therein to any designated foreign national or to anyone on his behalf, such person shall file a report on Form APC 31 with respect to

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such trade-mark, commercial print or label. Such report shall be filed with the Office of Alien Property Custodian, Washington, D. C., within thirty days after the close of any accounting period during which such sums are paid or become payable.

(c) For the purpose of this regulation, the terms:

(1) "Person" shall mean any individual, partnership, association, enterprise, joint-stock company, trust, corpora-

tion or any other organization or body politic.

(2) "Interest" shall mean ownership, part ownership, or claim of ownership, in whole or in part, of any trade-mark, registration or application for registration thereof, and of any copyright or claim of copyright in any commercial print or label, and any right, license, privilege or property in or to such trade-mark, commercial print or label; and any right, title and interest in, to or under any contract or any other instrument, and any royalty, share of profits, license fees or other emolument or compensation reserved with respect thereto. Such interest shall also include, without limitation, any interest as hereinbefore described which is held or claimed as trustee, agent, representative or nominal proprietor.

(3) "Trade-mark" shall mean any trade-mark, trade name, commercial name, service mark, collective mark or certification mark, whether a word, name, symbol or device, or combination thereof, used or adapted to be used by any person or persons in connection with the manufacture, sale or offering for sale of goods, wares, merchandise or services, to identify the source or origin thereof and to distinguish such goods, wares, merchandise and services from those of others.

(4) "Print" shall mean any artistic work subject to copyright with or without accompanying text matter, published in a periodical or separately, used in connection with the sale or advertisement of an article or articles of merchandise.

(5) "Label" shall mean any artistic and/or literary work subject to copyright impressed or stamped directly upon the article of merchandise or upon a piece of paper or other material to be attached in any manner to articles of merchandise or to bottles, boxes or other containers thereof, to indicate the nature of the goods.

(6) "Designated foreign national" shall mean:

(i) Any resident of any country other than the American Republics, the British Commonwealth of Nations and the Union of Soviet Socialist Republics.

(ii) Any business organization, organized under the laws of, or having its principal place of business in, any foreign country other than those enumerated above.

(iii) Any person included in the Proclaimed List of Certain Blocked Nationals, as amended and supplemented.

(d) The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on November 4, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18573; Filed, November 18, 1943; 10:55 a. m.]

[General Order 28]

PART 503—GENERAL ORDERS

REPORTS OF CERTAIN ROYALTIES DUE AND PAYABLE TO ALIEN PROPERTY CUSTODIAN

Reports of royalties due and payable to the Alien Property Custodian under vested interests in trade-marks and commercial prints and labels and agreements relating thereto.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned hereby issues the following regulation:

§ 503.28 *General Order 28.* (a) In all cases in which the Alien Property Custodian is entitled to receive royalties by virtue of having vested an interest in a trade-mark, whether or not registered in the United States Patent Office, or in any commercial print or label, or right thereunder, or an interest in an agreement with respect to such trade-mark, commercial print or label, the persons who are obligated to pay such royalties shall execute and file in duplicate with the Office of Alien Property Custodian, Washington, D. C., reports on Forms APC-50 and APC-51, which are hereby adopted and made a part of this regulation; such reports shall be accompanied by the payment of royalties due and payable and shall be executed as follows:

(1) Royalties which became due and payable for all accounting periods prior to the date of vesting shall be reported on Form APC-50 and paid within thirty days after receipt of demand from the Alien Property Custodian for such report and payment;

(i) Federal withholding taxes on such royalties shall be paid in the usual manner by the reporter directly to the Collector of Internal Revenue;

(ii) Charges specifically authorized by the agreement under which the royalties are payable may be deducted by the reporter. No other amounts may be deducted; but claims for refund of such amounts may be filed on Form APC-1, copies of which will be supplied on request.

(2) Royalties which become due and payable for all accounting periods subsequent to the date of vesting shall be reported on Form APC-51 and paid within ten days after the date they become due and payable; except that in the event one or more accounting periods subsequent to the date of vesting have passed previous to receipt of demand from the Alien Property Custodian, under subparagraph (1) hereof, royalties for such periods shall be reported on Form APC-51 and paid to the Alien Property Custodian within thirty days after receipt of such demand;

(i) Federal withholding taxes on such royalties shall not be paid by reporter to the Collector of Internal Revenue and the amounts ordinarily withheld for such purposes shall be included in payments to the Alien Property Custodian;

(ii) Charges specifically authorized by the agreement under which the royalties are payable may be deducted by the reporter. Charges which are incurred subsequent to vesting and which are not

specifically authorized by the agreement shall not be deducted unless approved by the Alien Property Custodian in writing.

(b) For the purposes of this regulation the terms:

(1) "Person" shall mean any individual, partnership, association, enterprise, joint-stock company, trust, corporation or any other organization or body politic;

(2) "Interest" shall mean ownership, part ownership, or claim of ownership, in whole or in part, of any trade-mark, registration or application for registration thereof, and of any copyright or claim of copyright in any commercial print or label, and any right, license, privilege or property in or to such trade-mark, commercial print or label, and any right, title and interest in, to or under any contract or any other instrument, and any royalty, share of profits, license fees or other emolument or compensation reserved with respect thereto. Such interest shall also include, without limitation, any interest as hereinbefore described which is held or claimed as trustee, agent, representative or nominal proprietor.

(3) "Trade-mark" shall mean any trade-mark, trade name, commercial name, service mark, association mark, collective mark or certification mark, whether a word, name, symbol or device, or combination thereof, used or adapted to be used by any person or persons in connection with the manufacture, sale or offering for sale of goods, wares, merchandise or services, to identify the source or origin thereof and to distinguish such goods, wares, merchandise and services from those of others.

(4) "Print" shall mean any artistic work subject to copyright under the laws of the United States with or without accompanying text matter, published in a periodical or separately, used in connection with the sale or advertisement of an article or articles of merchandise.

(5) "Label" shall mean any artistic and/or literary work subject to copyright under the laws of the United States impressed or stamped directly upon the article of merchandise or upon a piece of paper or other material to be attached in any manner to articles of merchandise or to bottles, boxes or other containers thereof, to indicate the nature of the goods.

(6) "Royalties" shall include, without limitation, fees, serial or other payments, shares or profits and any and all other emoluments or compensation.

(7) "Agreement" shall include, without limitation, any contract of purchase or sale, any contract granting the right to obtain an assignment, any agreement to use or not to use, any license held or granted, any cross-license agreement, any royalty agreement, and any agreement as to quantity, price, territorial restrictions or field of use with respect to any trade-mark, commercial print or label.

(c) The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1942); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on November 4, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18574; Filed, November 18, 1943; 10:55 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry

[Rule I, Rev. 40¹]

PART 72—TEXAS (SPLENETIC) FEVER IN CATTLE

PREVENTION OF SPREAD

Pursuant to authority conferred upon the Secretary of Agriculture by the Act of Congress approved March 3, 1905 (33 Stat. 1264; 21 U.S.C. 123-127), Title 9, Chapter I, Subchapter C, Part 72, of the Code of Federal Regulations, as amended, is hereby further amended as follows:

1. Section 72.2 is amended to read:

§ 72.2 *Splenetic or tick fever in cattle in described territory in Texas; prohibiting interstate movement of cattle.* Notice is hereby given that the contagious and infectious disease known as splenetic or tick fever exists in cattle in a portion of the State of Texas. Therefore, that portion of Texas described in § 72.5 is hereby quarantined, and the interstate movement of cattle therefrom shall be made only in accordance with the provisions of Parts 71 and 72 (Regs. 1 and 2, B. A. I. Order 309).

2. Section 72.3 is revoked.

3. Section 72.5 is amended to read:

§ 72.5 *Area quarantined in Texas; description.* The following portions of counties are quarantined:

(a) That part of Cameron County lying south of the following-described line:

Beginning at the point where the Brownsville ship channel enters the Gulf of Mexico; following said ship channel in a southwesterly direction to Port Brownsville, approximately 18 miles; thence in the same direction along the Port Brownsville-Brownsville Road to where it crosses Ranchito Viejo Resaca, approximately 2 miles; thence in a northwesterly direction following the Ranchito Viejo Resaca to the Sam Houston Boulevard Road, approximately 25 miles; thence in a southwesterly direction along this road to the intersection of the Rangerville-San Benito Road, approximately 3 miles; thence in a northwesterly direction along this road to the intersection of the Rangerville-Harlingen Road, approximately 5¼ miles; thence in a southerly direction along this road to where it intersects the San Benito & Rio Grande Valley Railway Co. (Missouri Pacific Railroad), approximately ¾ mile; following this railroad in

¹ Interpretation: The effect of this order is as follows:

In Florida: Collier County and the remainder of Hendry County are released from quarantine.

In Texas: Parts of Cameron, Hidalgo, Kinney, Maverick, Starr, Val Verde, Webb, and Zapata Counties are released from quarantine.

a westerly direction to the Cameron-Hidalgo County line, approximately $7\frac{1}{2}$ miles.

(b) That part of Hidalgo County lying south and west of the following-described line:

Beginning at a point where the San Benito & Rio Grande Valley Railway Co. (Missouri Pacific Railroad) intersects the Hidalgo-Cameron County line; thence in a westerly direction along this railroad to where it intersects the East McAllen Road, approximately 23 miles; thence north along this road to where it intersects the South Mission Road, approximately 3 miles; thence in a southwesterly direction along this road to where it intersects the Stewart Road, approximately $5\frac{1}{2}$ miles; thence north along this road to where it intersects Road No. 3, approximately 1 mile; thence west along this road to where it intersects the South Mission Road, 1 mile; thence north along the South Mission Road to where it intersects the Goodwin Road, 2 miles; thence west along this road to where it intersects the Inspiration Road, approximately $1\frac{3}{4}$ miles; thence north along the Inspiration Road to where it intersects Highway No. 83, 1 mile; thence in a northwesterly direction along this highway to the Hidalgo-Starr County line, about $15\frac{1}{4}$ miles.

(c) That part of Kinney County lying west of the following-described line:

Beginning at a point where the Kinney-Maverick County line intersects the Maverick County Water Control Improvement District Canal; thence in a northwesterly direction along said canal to a point where the Moody Ranch river fence intersects said canal, approximately 10 miles; thence along this river fence, which more or less follows the high watermark of the river to the Kinney-Val Verde County line.

(d) That part of Maverick County lying west of the following-described line:

Beginning at a point along the Webb-Maverick County line where the Laredo-Eagle Pass River Road intersects the county line and following this road in a northwesterly direction to the northwest fence of the Cage-West Cattle Co. Ranch, approximately 15 miles; thence following the northwest fence in a westerly direction to where it intersects the L. L. Little Ranch fence, approximately 3 miles; thence following the latter fence in a northwesterly direction to where it intersects the Indio Cattle Co. fence, approximately 12 miles; thence following this fence in an easterly direction to where it intersects the Laredo-Eagle Pass River Road, approximately $\frac{1}{2}$ mile; thence following this road in a northwesterly direction to where it intersects the north survey line of the Kifuri Over-all Factory premises, approximately 16 miles; thence west along the north fence of these premises to where it intersects the Southern Pacific Railroad, approximately $\frac{3}{4}$ mile; thence in a northerly direction along this railroad to the north city limits of Eagle Pass, Tex., approximately 2 miles; thence west along the north city limits to Highway No. 85, approximately $\frac{1}{2}$ mile; thence following Highway No. 85 in a northwesterly direction to where it intersects the Maver-

ick County Water Control Improvement District Canal, approximately 11 miles; thence west along this canal to where it intersects the Quemado-Maverick County river fence, approximately $\frac{1}{4}$ mile; thence following this fence in a northwesterly direction to where it intersects the Ashbrook Ranch fence, approximately 11 miles; thence following the latter fence in a northwesterly direction to where it intersects the Maverick County Water Control Improvement District Canal, approximately 3 miles; thence following this canal in a northwesterly direction to the Maverick-Kinney County line, approximately 6 miles.

(e) That part of Starr County lying south and west of the following-described line:

Beginning at a point along the Hidalgo-Starr County line where Highway No. 83 intersects it; following this highway in a northwesterly direction to the Rio Grande Brick Factory property, approximately $10\frac{1}{2}$ miles; thence west along the south fence of Will McMurray Ranch, approximately $\frac{3}{4}$ mile; thence north along Will McMurray Ranch fence to where it intersects Domingo Garza Ranch, approximately 10 miles; thence west along Domingo Garza Ranch fence to where it intersects Saginaw Ranch fence, approximately 3 miles; thence west along the Charco Blanco Road to where it intersects E. G. Gonzales fence, approximately 6 miles; thence north along this fence to Resendez Bros. fence, approximately 8 miles; thence west along this fence to where it intersects Garcona-Hebronville Road, approximately 3 miles; thence south along this road to Las Ojas Filling Station, approximately 6 miles; thence west along Moreno Road to the west line of Porcion 73, approximately 5 miles; thence south along west fence of Porcion 73 to where Judge Garza's fence turns west, approximately 4 miles; thence west along this fence to where it intersects the Hebronville-Roma Road, approximately 2 miles; thence south along this road to where it intersects Highway No. 83, approximately $\frac{1}{2}$ mile; thence in a northwesterly direction along this highway to the northwest corner of H. P. Guerra pasture, approximately 3 miles; thence north along H. P. Guerra pasture fence to where it intersects M. Ramirez fence, approximately 4 miles; thence in a northwesterly direction along M. Ramirez, F. Hinajosa, and M. Canales fences to H. P. Guerra Sandia pasture fence, approximately 3 miles; thence in a southwesterly direction along this fence to Highway No. 83, approximately 6 miles; thence in a northwesterly direction along this highway to the Starr-Hapata County line, approximately $2\frac{1}{2}$ miles.

(f) That part of Val Verde County lying south and west of the following-described line:

Beginning at a point where the Val Verde-Kinney County line is intersected by the Moody Ranch river fence; following this fence in a northwesterly direction to a corner post on the east boundary line of the South Loop Public Road; thence along the boundary line of said road in a northerly direction to a point where the road intersects the south boundary line of Del Rio, Tex., approximately 1.4 miles; thence in a westerly

direction along the south boundary line of Del Rio, to the southwest corner of the city; thence in a northerly direction along the western boundary line of Del Rio to the northwest corner of the city; thence in an easterly direction along the northern boundary line of Del Rio to a point where said boundary line intersects U. S. Highway No. 90; thence on this highway in a northwesterly direction to the Devils River bridge, approximately 12 miles; thence in a southerly direction along the Devils River to a point where it empties into the Rio Grande River.

(g) That part of Webb County lying south and west of the following-described line:

Beginning at a point where Highway No. 83 intersects the Zapata-Webb County line; following this highway in a northwesterly direction to the La Pita Mangana Road, approximately 12 miles; thence east along this road to where it intersects the east fence of the Richter pasture, approximately $\frac{3}{4}$ mile; thence in a northeasterly direction along the Richter-Wormser-Clark fence to where it intersects the Laredo-Hebronville Highway, approximately 4 miles; thence east along this highway to where it intersects the west fence of the A. M. Bruni Target Range pasture, approximately $\frac{1}{2}$ mile; thence north along this fence to where it intersects the south line of the Rafael Saenz Ranch, approximately $1\frac{1}{4}$ miles; thence east along this south fence to where it intersects the A. M. Bruni Ranch Colorado pasture west fence, approximately $2\frac{1}{2}$ miles; thence north along this fence to where it intersects the L. R. Ortiz Ranch south fence, approximately $1\frac{1}{2}$ miles; thence in a northwesterly direction along the latter fence to where it intersects the Rumsey Estate Ranch fence, approximately 3 miles; thence west along the south survey fence of the Rumsey Estate Ranch to the southwest corner of same, approximately 1 mile; thence in a northerly direction along the west fence of this ranch to the northwest corner of same, approximately 1 mile; thence in a northeasterly direction along the old San Antonio Road to where it intersects the L. R. Ortiz Ranch fence, approximately $1\frac{1}{2}$ miles; thence in a southwesterly direction along the south fence of this ranch to the southwest corner of same, approximately $1\frac{1}{2}$ miles; thence in a northeasterly direction along the west survey fence of this ranch to the south fence of the U. S. Target Range Farias pasture fence, approximately $1\frac{3}{8}$ miles; thence in a southwesterly direction along this south fence to where it intersects the Laredo-San Antonio Highway, approximately 3 miles; thence in a northerly direction along this highway to where it intersects the south survey fence of the L. R. Ortiz Ranch, approximately $1\frac{3}{8}$ miles; thence in a southwesterly direction along this survey fence to where it intersects the Rio Grande and Eagle Pass Railroad, approximately $1\frac{3}{8}$ miles; following this railroad in a northwesterly direction to where it intersects the Laredo-Eagle Pass River Road, approximately 8 miles; thence following this road in a northwesterly direction to where it intersects

the Webb-Maverick County line, approximately 59 miles.

(h) That part of Zapata County lying west of the following-described line—beginning at a point where Highway No. 83 intersects Starr-Zapata County line; thence in a northwesterly direction along Highway No. 83 to the Zapata-Webb County line, approximately 57 miles.

This rule 1, revision 40, which for purposes of identification is designated as B.A.I. Order 377, shall become effective on December 1, 1943, and shall supersede rule 1, revision 39 (B.A.I. Order 374).

Done at Washington, D. C., this 17th day of November 1943.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPELEY,
Acting Secretary of Agriculture.

[F. R. Doc. 43-18595; Filed, November 18, 1943; 11:27 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 289]

PART 238—CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

TEMPORARY SUSPENSIONS OF SERVICE BY AIR CARRIERS, EXCEPT ALASKAN AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 15th day of November 1943.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 (k) thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective December 15, 1943, § 238.6 of the Economic Regulations is hereby amended in its entirety to read as follows:

§ 238.6 *Temporary suspensions of service by air carriers (except Alaskan Air Carriers)*—(a) *Service of notice.* Prior to or coincident with the filing of any application for temporary suspension of service to or from any point named in any certificate of public convenience and necessity (hereinafter referred to as certificate), the applicant, unless otherwise authorized by the Board, shall cause a notice of such filing together with a copy of the application to be served by personal service or registered mail upon:

(1) Each scheduled air carrier which regularly renders service to the point for which temporary suspension of service is sought.

(2) The chief executive of the city, town or other unit of local government at any such point located in the United States or any Territory or possession thereof.

(3) The Postmaster General (marked for the attention of the Second Assistant Postmaster General), if the applicant's certificate authorizes the transportation of United States mail to or from such point.

(b) *Contents of notice.* Such notice shall state that it is being served pur-

suant to § 238.6 of the Economic Regulations of the Civil Aeronautics Board and shall indicate the date upon which the application will be or is being filed.

(c) *Form and contents of application.* The application shall be entitled "Application for Order Authorizing Temporary Suspension of Service" and in addition to the specific relief requested, shall contain a list of the persons upon whom notice of the filing thereof was or is being served, and facts relied upon to establish that the temporary suspension of service for which application is made is in the public interest. An executed original and nine copies of such application with a copy of the notice attached to each shall be filed with the Board.

(d) *Additional service of notice.* Action on the application may be withheld by the Board, in its discretion, pending proof of such additional service of notice by the applicant as the Board may direct.

(e) *Disposition.* The Board will grant such application if it finds that such temporary suspension of service is in the public interest. An order authorizing temporary suspension of service will be subject to revocation or amendment by the Board at any time.

(f) *Authorized suspensions of service.* Unless otherwise ordered by the Board, the holder of a certificate shall not be required to file an application or obtain an order of the Board

(1) For temporary suspension of service to a point named in such certificate during such time as the air carrier operating certificate of the holder does not authorize service to such point through the airport and with the type of aircraft last regularly used by the holder to serve such point,

(2) In case of a point named in a certificate issued pursuant to section 401 (d) or section 401 (e) (2) of the Act and which has never regularly been served by the holder after the date of issuance of the certificate, for temporary suspension of service to such point during such time as the air carrier operating certificate of the holder does not authorize service to such point through any airport convenient thereto with any type of aircraft then regularly being used (or, if the holder is not operating, with any type of aircraft proposed to be used) by the holder for scheduled operations between other points named in such certificate, or

(3) In the case of a point named in a certificate issued pursuant to section 401 (e) (1) of the Act, for continued temporary suspension of service to such point if such service was suspended during the thirty days immediately preceding July 31, 1939.

With respect to any such point the Board may by order at any time revoke or amend the authority conferred on the holder of a certificate by this paragraph (f).

(g) *Temporary interruptions of service.* The temporary interruption of service to or from a point named in a certificate caused by adverse weather conditions, or by other conditions which the holder could not reasonably have been expected to foresee or control, shall not be deemed to constitute a temporary suspension of service within the mean-

ing of this regulation or of the terms, conditions or limitations of such certificate.

(h) *Inapplicability.* This regulation shall not apply to Alaskan Air Carriers. (52 Stat. 987; 49 U.S.C. 481)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-18589; Filed, November 18, 1943; 11:33 a. m.]

[Regs. Serial No. 290]

PART 292—CLASSIFICATIONS AND EXEMPTIONS

ALASKAN AIR CARRIERS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 15th day of November 1943.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a), 401 (f), and 416 thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective December 15, 1943, paragraph (c) of § 292.2, as amended, of the Economic Regulations is hereby amended by striking from the first sentence thereof the following: "section 238.6, Temporary Suspensions of Service."

(52 Stat. 1004; 49 U.S.C. 496)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 43-18590; Filed, November 18, 1943; 11:33 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—War Food Administration (Commodity Exchanges)

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

EXECUTION OF SIMULTANEOUS BUYING AND SELLING ORDERS OF DIFFERENT PRINCIPALS

By virtue of the authority vested in the War Food Administrator, § 1.39, Title 17, Chapter I, Part 1, Code of Federal Regulations, as amended (17 CFR, Chapter I, Part 1, § 1.39, as amended by 8 F.R. 7223), is amended, effective December 1, 1943, to read as follows:

§ 1.39 *Simultaneous buying and selling orders of different principals; execution of, for and between principals*—(a) *Conditions and requirements.* A member of a contract market who shall have in hand at the same time both buying and selling orders of different principals for the same commodity for future delivery in the same delivery month may execute such orders for and directly between such principals at the market price, if, in conformity with the written rules of such contract market specifically applicable to such cases:

(1) Such orders are first offered openly and competitively by open outcry

in the trading pit or ring (i) by both bidding and offering at the same price, and neither such bid nor offer is accepted, or (ii) by bidding and offering to a point where such offer is higher than such bid by not more than the minimum permissible price fluctuation applicable to such commodity on such contract market, and neither such bid nor offer is accepted;

(2) Such member executes such orders in the presence of an official representative of such contract market designated to observe such transactions and, by appropriate descriptive words or symbol, clearly identifies all such transactions on his trading card or other similar record, made at the time of execution, and notes thereon the exact time of execution and promptly presents said record to such official representative for verification and initialing;

(3) Such contract market keeps a permanent record of each such transaction showing the date, price, quantity, kind of commodity, delivery month, by whom executed, and the exact time of execution; and

(4) Neither the futures commission merchant receiving nor the member executing such orders has any interest therein, directly or indirectly, except as a fiduciary.

(b) *Not deemed filling orders by offset nor cross trades.* The execution of orders in compliance with the conditions herein set forth will not be deemed to constitute the filling of orders by offset within the meaning of paragraph (D) of section 4b, nor to constitute cross trades within the meaning of paragraph (A) of section 4c, of the Commodity Exchange Act.

(42 Stat. 998, as amended; 7 U.S.C. 1940 ed. 1-17a; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 17th day of November 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 43-18592; Filed, November 18, 1943; 11:28 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[Reg. 9, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES

RESTRICTIONS ON SHIPMENTS OF COAL

To clarify the application of the quality standards established by Regulation No. 9, it is necessary to amend § 602.162 thereof so that the percentage of ash content will relate to weight rather than to volume.

Accordingly, in order to effectuate the purposes of Executive Order No. 9332 and by virtue of the authority vested by that order, § 602.162 of Regulation No. 9 is amended to read as follows:

§ 602.162 *Restrictions on shipments by producers, wholesalers, equipped retail dealers and unequipped retail dealers.* No producers or wholesaler shall ship any anthracite and no equipped or un-

equipped retail dealer shall deliver any anthracite if such anthracite has an ash content upon a dry basis in excess of the following percentages by weight for the sizes indicated:

	Percent
Broken, egg, stove, chestnut, pea	15
No. 1 Buckwheat	16
No. 2 Buckwheat (rice)	17

This amendment shall become effective immediately.

(E.O. 9332, 8 F.R. 5355)

Issued this 17th day of November 1943.

C. J. FOTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 43-18588; Filed, November 18, 1943; 11:09 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 4, as Amended Nov. 18, 1943 to Priorities Reg. 1]

Interpretation 4 of Priorities Regulation No. 1 is amended to read as follows:

Section 944.2 of Priorities Regulation No. 1 provides for the compulsory acceptance of defense and other preference rated orders for the use of facilities, and § 944.7 provides for the sequence of deliveries on such orders. With respect to all such orders placed with a producer of controlled materials, the provisions of these sections are applicable only to the extent that they do not interfere with the acceptance, production, and delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18559; Filed, November 18, 1943; 10:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Interpretation 7 to Priorities Reg. 3]

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

The following interpretation is issued with respect to Priorities Regulation 3:

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse.

There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No. 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No. 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18560; Filed, November 18, 1943; 10:32 a. m.]

PART 962—IRON AND STEEL

[Supplementary Order M-21-h, as Amended Nov. 18, 1943]

TOOL STEEL

§ 962.9 *Supplementary Order M-21-h—(a) Definitions.* For the purpose of this order:

(1) "Tool steel" means any steel to be used for the manufacture of tools for use in mechanical fixtures for cutting, shaping, forming, and blanking of material, either hot or cold, or for precision gauges. It is not deemed to include steel for use as shanks in the manufacture of tipped or welded tools or for hand tools such as chisels, pliers, screw drivers, wrenches, centering punches and nail-sets.

(2) "Alloy steel" means alloy steel as defined in paragraph (a) of Supplementary Order M-21-a.

(3) "High-speed steel" means alloy tool steel of either of the following classes:

(i) "Class A high-speed steel" means either alloy steel containing not less than .60% carbon and more than 3.0% molybdenum; or alloy steel containing not less than .60% carbon, 6.0% or less tungsten, and more than 3.0% molybdenum.

(ii) "Class B high-speed steel" means alloy steel containing not less than .55% carbon and more than 12.0% tungsten.

Other alloying elements may be present in the high-speed steels of either class, but steel not containing the elements named, in the amount specified, shall not be deemed high-speed steel.

(4) "Producer" means any person who melts tool steel.

(b) *Purchasers' statements.* In addition to any statement required by General Preference Order M-21, on and after May 1, 1943, every order placed with a producer for steel to be used for the manufacture of tools for use in mechanical fixtures for cutting, shaping, forming or blanking of material, either hot or cold, or for precision gauges, shall include the statement, "This is an order for 'tool steel'", over the signature, either manual or as provided in Priorities Regulation No. 7, of a duly authorized official of the purchaser, which will constitute a representation to the producer and to the War Production Board that the steel ordered will be used only for one or more of the above purposes.

(c) *Producers' forms.* Each producer shall file monthly with the War Production Board, Ref.: M-21-h, melting schedules on Form WPB-949. The War Production Board may make such changes in any melting schedule as shall seem appropriate and may from time to time issue supplementary directions with regard to melting of tool steel.

(d) *Melting and deliveries of tool steel.* Except pursuant to specific authorization in writing by the War Production Board, tool steel shall be melted and delivered as follows:

(1) Each producer shall melt tool steel in accordance and only in accordance with such melting schedules as are approved by the War Production Board or such supplementary directions as may from time to time be issued by the War Production Board.

(2) Each producer shall deliver tool steel on an order and only on an order for which the melting has been specifically authorized or directed by the War Production Board.

(e) *Special instructions.* The War Production Board may from time to time issue directions as to facilities to be used in production and directions specifying as to any alloying element the quantities and proportions which may be used in making tool steel, and whether and in what proportions any such element is to be the metal, a ferroalloy, reclaimed metal, scrap, a chemical compound or any other material containing such element.

(f) *Restrictions of deliveries under toll agreements.* Except pursuant to specific authorization in writing by the War Production Board, no person shall make or accept delivery under any toll agreement whereby one person melts tool steel for another person.

(g) [Deleted Nov. 18, 1943]

(h) [Deleted Nov. 18, 1943]

(i) [Deleted Nov. 18, 1943]

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any depart-

ment or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Steel Division, Washington 25, D. C.; Ref.: M-21-h.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18555; Filed, November 18, 1943;
10:32 a. m.]

PART 962—IRON AND STEEL

[Direction 1, as Amended Nov. 18, 1943, to Supp. Order M-21-h]

USE OF ALLOYS IN MELTING ALLOY TOOL STEELS

The following direction is issued pursuant to Supplementary Order M-21-h:

No producer shall use alloys in the melting of alloy tool steel except within the limits specified below, or as otherwise authorized by the War Production Board.

GRADES I-IIIc—CLASS A HIGH SPEED STEEL

Grade	C	Cr	W	Mo	Co	V
	Min.	Max.	Max.	Max.		
I.....	0.60	4.5	6.0	5.5		1.9 max.
Ib.....	.90	4.5	6.5	6.5		2.25 min.
Ic.....	.60	4.5	6.0	5.5	3.5 min.	2.2 max.
II.....	.60	4.5	1.8	8.75		1.3 max.
IIc.....	.60	4.5	1.8	8.75	3.5 min.	2.2 max.
III.....	.60	4.5		8.75		2.2 max.
IIIc.....	.60	4.5		8.75	3.5 min.	2.2 max.

GRADES IV-IVc—CLASS B HIGH SPEED STEEL

Grade	C	Cr	W	Mo	Co	V
IV.....	0.55	4.5	19.0			1.2 max.
IVb.....	.55	4.5	19.0	1.1		2.0 min.
IVc.....	.55	4.5	22.0	1.1	3.5 min.	2.2 max.

GRADE V—HOT WORK STEEL

Class	C	Mn	Si	Cr	W	Mo	V
A.....	0.25/0.55	0.15/0.45	0.15/0.45	2.5/4.5	16.0/18.0		Mar. 0.40
B.....	.25/.55	.15/.45	.15/.45	2.5/4.5	13.0/15.0		.40
C.....	.25/.55	.15/.45	.15/.45	2.5/4.5	10.0/12.0		.40
D.....	.25/.55	.15/.45	.15/.45	2.5/4.5	7.5/9.5		.40
J.....	.30/.45	.15/.45	.80/1.35	4.5/6.0	1.0/1.5	1.0/1.5	.40
K.....	.30/.45	.15/.75	.80/1.35	4.5/6.0		1.0/1.5	.40

GRADE VI—HIGH CARBON, HIGH CHROME AND AIR HARDENING DIE STEELS

Class	C	Mn	Si	Cr	W	Mo	Co	V
A.....	1.7/2.4	0.15/0.60	0.15/1.0	10.0/14.0	Max. 1.25	1.0 Max.	0.60	1.0
B.....	1.6/1.9	.15/.40	.15/.40	17.0/19.0				1.0
C.....	1.2/1.7	.15/.40	.15/.75	11.0/14.0		.50/1.0	3.5	1.0
D.....	.90/1.10	.15/.90	.10/.45	4.5/6.0		.75/1.25		0.70
E.....	.95/1.05	1.75/2.25	.20/.40	.80/2.0		.80/1.1		1.0

GRADE VII—ALL OTHER ALLOY TOOL STEELS

Class	C	Mn	Si	Cr	W	Mo	Co	V
A.....	0.70/1.0	0.90/1.8	0.15/0.45	0.60 max.	0.60 max.	Max. 0.30		0.25
B.....	.85/1.25	.15/.65	.15/.45	1.1/1.85	.60 max.	.50		.25
D.....	1.0/1.3	.15/.40	.10/.45	.25/.80	1.0/1.5	.30		.25
J.....	.60/1.35	.10/.45	.10/.45					.50
M.....	.40/.60	.15/.70	15/1.15	.30/2.0	.15/2.75			.25
N.....	.45/.70	.30/1.2	.70/2.25	.50 max.		.50		.50
O.....	.40/1.0	.20/.90	.15/.55	.60/1.1				.25
T.....	.80/1.3	.10/.45	.10/.40		.80/1.5			.25

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18554; Filed, November 18, 1943;
10:32 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Direction 38 to CMP Reg. 1]

GALVANIZED STEEL PRODUCTS IN CONTROLLED MATERIAL FORM

The following direction is issued pursuant to CMP Regulation 1:

The following rules apply to galvanized steel products in controlled material form:

(1) When sold by a steel producer, they are controlled materials.

(2) When sold by a galvanizer who is not a steel producer, they are Class A products.

(3) When sold by a distributor, they are controlled materials, regardless of who produced them.

(4) In ordering them, a warehouse must use Form WPB-2444 (formerly CMP-11), regardless of whether the order is placed with a steel producer or with a galvanizer who is not a steel producer.

(5) A galvanizer who is not a steel producer may place orders for the steel required by him to fill orders actually received from a warehouse in accordance with paragraph (4) above, or to replace inventory used for such purpose. The galvanizer's orders must be identified by the allotment symbol "WH", and shall be considered authorized controlled material orders.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18561; Filed, November 18, 1943;
10:33 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[Inventory Direction 11 as Amended Nov. 18, 1943, Under CMP Reg. 2.]

AIRCRAFT ALUMINUM EXTRUSIONS

§ 3175.111 *Inventory Direction No. 11.* Pursuant to paragraph (b) (2) of CMP Regulation 2, It is hereby ordered, That:

Until this direction is revoked, the provisions of paragraphs (b) (1) and (b) (3) of CMP Regulation No. 2 shall not apply to the acceptance of deliveries of aluminum extrusions, which are required for use in the production of aircraft or components thereof, and in lieu thereof no user of controlled material shall accept delivery of any item of aluminum extrusions for use in the production of aircraft or components thereof if the user's inventory of such item is or will by virtue of such acceptance become greater than the quantity of such item it will be required by current practices to put into use during the succeeding 120-day period in order to carry out its authorized operations.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18562; Filed, November 18, 1943;
10:33 a. m.]

PART 3238—LUMBER

[Revocation of Conservation Order M-279]

Section 3238.6 Conservation Order M-279 is hereby revoked. This action shall not be construed to affect in any way any liability accrued or incurred under the order.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18558; Filed, November 18, 1943;
10:32 a. m.]

PART 3286—MISCELLANEOUS MINERALS¹

[General Preference Order M-89 as Amended Nov. 18, 1943]

CORUNDUM

Whereas, national defense requirements have created a shortage of corundum (as hereafter defined) for the combined needs of defense and private account, and the supply of corundum now is and will be insufficient for defense and essential civilian requirements, unless the supply of corundum is conserved and its use in certain products manufactured for civilian use is curtailed; and it is necessary in the public interest and to promote the defense of the United States, to conserve the supply and direct the distribution and use thereof. Now, therefore, it is hereby ordered that:

§ 3286.15¹ *General Preference Order M-89—(a) Definitions.* For the purposes of this order:

(1) "Corundum" means naturally occurring crystalline anhydrous aluminum oxide suitable for abrasive use and unbonded. "Corundum" includes ores of

corundum, the abrasive grains made therefrom, and corundum superfine flours, ordinarily spoken of as optical emery. Natural emery, sapphire, and ruby are not included. Also, the type of corundum material known in the trade as "Boulder Corundum DC Fines" is not included.

(2) "Supplier" means any person who imports corundum, who produces corundum grain or superfine flours, or who offers corundum for sale.

(3) "Consumer" means any person who uses or consumes corundum by incorporating it physically into a product or who uses or consumes corundum in the form of grain, powder, or flour in any grinding, polishing, or fabricating process other than grinding of spectacle lenses (ophthalmic).

(b) *Restrictions on delivery and use.* No supplier shall make delivery of corundum except as authorized by the War Production Board. The Board will from time to time allocate the supply of corundum and specifically direct the manner and quantities in which deliveries to or by particular persons or for particular uses shall be made or withheld. The War Production Board may also direct, limit, or prohibit deliveries, withdrawals from inventories, and particular uses of corundum in the hands of consumers. Such allocations and directions will be made to insure the satisfaction of defense requirements of the United States, both direct and indirect, and they may be made, in the discretion of the War Production Board without regard to any preference ratings assigned to particular contracts or purchase orders. The War Production Board may also take into consideration the possible dislocation of labor and the necessity of keeping a plant in operation so that it may be able to fulfill defense orders and essential civilian requirements.

(c) *Reports.* On or before the 5th day of each calendar month, each supplier of corundum ore or grain shall file with the War Production Board, in quadruplicate, Form WPB-2921 (formerly PD-293). On or before the 28th day of each calendar month, each supplier of corundum superfine flours shall file with the War Production Board, in quadruplicate, Form WPB 2922 (formerly PD-293A). On or before the 5th day of each calendar month, each consumer of corundum grain shall file with the War Production Board, in duplicate, Form WPB-2933 (formerly PD-294); provided, that any consumer of corundum grain who has neither received nor used any corundum grain for a period of three or more consecutive months, according to reports filed by such consumer with the War Production Board on Form WPB-2923, may discontinue filing such reports. However, if at any later time he uses or delivers from stock any corundum grain, he shall file with the War Production Board Form WPB-2923, in duplicate, on

or before the 5th day of the month following the month in which the use or delivery occurred; and if he desires to obtain delivery of any corundum grain, he shall file application therefor with the War Production Board on Form WPB-2923, in duplicate. Each consumer desiring a delivery of corundum superfine flours shall file application therefor with the War Production Board, in duplicate, upon Form WPB-2924 (formerly PD-294A). The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(d) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(2) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Branch, Washington 25, D. C. Ref: M-89.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18556; Filed, November 18, 1943;
10:32 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-103, as Amended Nov. 18, 1943]

DYESTUFFS AND ORGANIC PIGMENTS

§ 3290.266 *Conservation Order M-103—(a) Definitions.* For the purposes of this order:

(1) "Dyestuffs" means any organic or partially organic coloring matter. The term includes organic coloring matter even though the matter itself appears colorless. The term does not include inorganic pigments extended or otherwise processed with resins, with dispersing agents, or with other substantially colorless organic material.

(2) "Class A dyestuffs" means the anthraquinone vat dyes appearing on List A attached hereto.

(3) "Class B dyestuffs" means all anthraquinone vat dyes other than those appearing on said List A. The term includes Fast Red A. L. Salt, which shall

¹ Formerly Part 1091, § 1091.1.

be considered an anthraquinone vat dye of single strength.

(4) "Class C dyestuffs" means all anthraquinone dyes other than anthraquinone vat dyes.

(5) "Class D dyestuffs" means all other dyestuffs, except:

(i) Those derived from vegetable or animal sources;

(ii) Lithol Red CI 189, Azo Bordeaux CI 88, Alphanaphthylamine Maroon CI 82 or Pigment Green B; or

(iii) Dyestuffs certified under the provisions of the Federal Food, Drug and Cosmetic Act (Ch. 9, Title 21, U. S. Code) and sold and used exclusively for use in food, drugs and cosmetics, as defined in said Act.

(6) "Value" means the dollar value computed from the domestic consumer's contract sales price as of January 1, 1941.

(7) "United States" means the 48 States, the District of Columbia and the Territory of Alaska.

(b) *Restrictions on delivery*—(1) *Class A.* No person shall in any calendar quarter deliver to any one person more than 25 pounds, and no one person shall in any calendar quarter accept a total of more than 25 pounds of any Class A dyestuffs for use in the United States or Canada, except for export within the limitations prescribed in paragraph (c) (Restrictions on export) and except as provided in paragraph (d) (General exceptions).

(2) *Class B, C and D quotas.* Except as provided in paragraph (d) (General exceptions), no person shall in any calendar quarter, deliver or accept delivery of any Class B, C or D dyestuffs for use in the United States or Canada, in excess of the quantities specified in the following schedule:

May deliver

Class B. 17½% of combined amount of Class A and B dyestuffs delivered to all persons in 1941.

(For the purpose of Class B quota, calculate in pounds of equivalent single strength Anthraquinone vat dyes. The poundage may be increased to equal 25 or a multiple thereof.)

Class C. 17½% of value of Class C dyestuffs delivered to all persons in 1941.

Class D. 17½% of value of Class D dyestuffs delivered to all persons in 1941.

(For the purpose of Class D quota, in determining the value of dry and wet dispersions of organic pigments, only the organic pigment content for such dispersions shall be considered and it shall be based on the value of a comparable dry pigment.)

May accept delivery

17½% of combined amount of Class A and B dyestuffs received from all sources in 1941, plus 250 pounds.

17½% of value of Class C dyestuffs received from all sources in 1941, plus \$250 value.

17½% of value of Class D dyestuffs received from all sources in 1941, plus \$250 value.

(3) *Quota adjustments.* For the purpose of the Class B, C and D quotas, referred to in the above schedule:

(i) *Use by producer.* Amounts of dyestuffs which are or have been used by a producer in any calendar quarter or in 1941, shall be considered as having been delivered to such person in such quarter or in 1941, as the case may be.

(ii) *Credit for returned dyestuffs.* Amounts of dyestuffs returned to a vendor prior to the 22nd day after the end of the calendar quarter in which they were delivered, shall not be charged as delivered or accepted.

(iii) *Carry-over of undelivered quota.* Amounts of dyestuffs which a person may deliver or accept which have not been delivered or accepted in any calendar quarter, may be delivered or accepted prior to the 22nd day after the end of such quarter.

(c) *Restrictions on exports*—(1) *General restrictions.* No producer shall export or deliver for export from the United States to any place other than Canada any dyestuffs produced by him, except either upon orders accompanied by individual export licenses issued by the Office of Economic Warfare (the applications for which show thereon the corresponding current domestic sales price of such dyestuffs) or upon orders from an agency of the United States for delivery pursuant to the Act of March 11, 1941, as amended, entitled "An Act to promote the Defense of the United States" (Lend-Lease Act). The total

value, exclusive of the exceptions provided in paragraph (d), of dyestuffs so exported or delivered in any quarter shall not exceed:

(i) ¾ of 1% of the total value of all dyestuffs delivered by him in 1941 plus

(ii) 17% of the total value of dyestuffs exported or delivered for export by him from the United States to all places other than Canada in 1941.

(2) *Further restrictions on Class A, B and C.* The amount of dyestuffs, exclusive of the exceptions provided in paragraph (d), produced by him which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter, shall not exceed:

(i) As to Class A dyestuffs, ¾ of 1% of the total value of all Class A dyestuffs delivered by him in 1941;

(ii) As to a total of Class A, B and C dyestuffs, 2% of the total value of all Class A, B and C dyestuffs delivered by him in 1941.

(3) *Carry-over of undelivered portion of export quota.* Amounts of dyestuffs which a producer may export or deliver for export from the United States to all places other than Canada in any calendar quarter and which have not been exported or delivered for export in such quarter, may be exported or delivered for export in the following quarter in addition to the quota for that quarter. For the purposes of this subparagraph (3), all dyestuffs, other than Class A, B or C, shall be considered one class.

(d) *General exceptions.* The restrictions in subparagraphs (1) and (2) of paragraph (b) (Restrictions on delivery) and the restrictions in paragraph (c) (Restrictions on export) shall not apply to the delivery or acceptance of delivery of dyestuffs:

(1) To or by the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the United States Post Office, the Government Printing Office, the Bureau of Engraving and Printing or the Government of Canada;

(2) For ultimate delivery to any of the agencies mentioned in subparagraph (1) of this paragraph (d), or for use, to the extent specified in the prime contract, in the manufacture of any item which is being produced for any of said agencies;

(3) For use in the manufacture of materials for uniforms as described in subdivisions (i) to (ix), inclusive, of paragraph (e) (1) of General Limitation Order L-224 (Clothing for Men and Boys) and in paragraph (d) (10) of General Limitation Order L-85 (Apparel for Feminine Wear);

(4) Between or among producers and exclusive sales agents of producers;

(5) For coloring gasoline and tractor fuels;

(6) For chemical indicators or bacteriological stains;

(7) For medicinal, therapeutic or diagnostic uses;

(8) For dyeing used apparel or used household furnishings;

(9) For ultimate delivery to or by a retailer (who for this purpose means one who sells dyestuffs and other merchandise directly to the general public for its consumption, e. g., a general store, a drug store, etc.) of dyestuffs in containers not exceeding 8 ounces in content; or

(10) To replace in inventory amounts which, although not acquired for any of the uses referred to in any of the subparagraphs of this paragraph (d), were nevertheless used for one or more of such purposes.

(11) For purposes other than coloring (e. g. rubber chemicals).

Provided, That all deliveries of dyestuffs exempted from the restrictions of said paragraphs (b) and (c) by subparagraphs (2), (3), (4), (5), (6), (7), (8) or (10) of this paragraph (d) shall be made only upon the receipt by the vendor from the purchaser of a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the dyestuffs to be delivered on the annexed purchase order will be used for one or more of the purposes specified in paragraph (d) of Conservation Order M-103, or will replace inventory so used.

(e) *Treatment of mixtures.* In the case of physical mixtures of different classes of dyestuffs containing a component or components of one class to the extent of at least 90% of the value of such mixture, such mixtures shall be considered as belonging to the class to which

said component or components belong. In the case of all other physical mixtures of dyestuffs, the classes of components shall be considered separately.

(f) *Restrictions on use of specific dyestuffs.* No person shall use any:

(1) [Deleted Oct. 23, 1943.]

(2) Anthraquinone in any physical form in discharging (including color and white discharge), stripping or destroying naphthol (azolic), vat or other dyes already present on textile fibers. This provision shall not prohibit the use of Anthraquinone in the manufacture of dyestuffs.

(3) Annato or annato extracts for coloring any materials other than food products.

(f-1) [Deleted Oct. 23, 1943.]

(g) *Restrictions on inventory.* In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14), no person shall accept delivery of any Class A dyestuffs which will increase his inventory thereof beyond an amount which, to the best of his knowledge and belief, will be used by him in the next 45 days.

(h) *General prohibitions.* No person shall deliver or accept delivery of any dyestuffs, if he knows, or has reason to believe, such material is to be used or is to be delivered or accepted in violation of the terms of this order.

(i) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(k) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) *Communications to the War Production Board.* All communications concerning this order, shall, unless otherwise directed in writing, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-103.

Issued this 18th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

PART I—TECHNICAL NAMES

1. Brown R CI 1151.
2. Brown G CI 1152.
3. Olive R CI 1150.
4. Golden orange R CI 1097
5. Khaki 2G Pr 122.
6. Olive T.
7. Olive GGL.
8. Olive green B.
9. Yellow 3RD.

PART II—TRADE NAMES

Amanthrene olive R CI 1150.
Amanthrene olive green B.
Calcoloid golden orange RRTD CI 1097.
Calcosol brown G CI 1152.
Calcosol brown R CI 1151.
Calcosol brown RP CI 1151.
Calcosol golden orange RRTD CI 1097.
Calcosol golden orange RRTD CI 1097.
Calcosol khaki G Pr 122.
Calcosol olive R CI 1150.
Carbanthrene brown AR CI 1151.
Carbanthrene brown AG CI 1152.
Carbanthrene golden orange RRT CI 1097.
Carbanthrene prtg. golden orange RRT CI 1097.
Carbanthrene khaki 2G Pr 122.
Carbanthrene olive R CI 1150.
Cibanone brown BG CI 1152.
Cibanone brown GR CI 1151.
Cibanone golden orange 2R CI 1097.
Cibanone olive 2R CI 1150.
Indanthrene brown FRA CI 1151.
Indanthrene brown GA CI 1152.
Indanthrene brown GAF CI 1152.
Indanthrene brown GAP CI 1152.
Indanthrene brown GWF CI 1152.
Indanthrene brown GWP CI 1152.
Indanthrene brown RA CI 1151.
Indanthrene brown RAP CI 1151.
Indanthrene brown RWP CI 1151.
Indanthrene khaki 2GA Pr 122.
Indanthrene khaki 2GF Pr 122.
Indanthrene khaki 2GWP Pr 122.
Indanthrene olive green BA.
Indanthrene olive RA CI 1150.
Indanthrene olive RAP CI 1150.
Indanthrene olive RW CI 1150.
Indanthrene olive RWF CI 1150.
Indanthrene orange RRTA CI 1097.
Indanthrene orange RRTF CI 1097.
Indanthrene orange RRTD CI 1097.
Indanthrene orange RRTW CI 1097.
Indanthrene yellow 3RD.
Indanthrene olive T.
Ponsol brown AG CI 1152.
Ponsol brown AR CI 1151.
Ponsol brown ARS CI 1151.
Ponsol green 2BL.
Ponsol golden orange RRT CI 1097.
Ponsol golden orange RRTS CI 1097.
Ponsol khaki 2G Pr 122.
Ponsol olive AR CI 1150.
Ponsol olive ARS CI 1150.
Ponsol olive GGL.

[F. R. Doc. 43-18557; Filed, November 18, 1943;
10:32 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-357, Amdt. 1]

METALLIC SODIUM

Section 3293.561 *Allocation Order M-357* is hereby amended in the following respects:

1. In paragraph (b), first line, the words "On and after December 1, 1943" should be inserted before the word "No".

2. In paragraph (c), first line, the words "On and after December 1, 1943" should be inserted before the word "Any".

3. In paragraph (d), the following sentence should be inserted before the sentence commencing with the word "Instructions":

However, applications for December delivery should be filed as soon as possible.

4. In paragraph (e), the following sentence should be inserted before the sentence commencing with the word "Instructions":

However, applications for December delivery should be filed as soon as possible after November 20, 1943.

Issued this 17th day of November 1943.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-18527; Filed, November 17, 1943;
1:25 p. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 66 as Amended,¹ Amdt. 7]

RETREADED AND RECAPPED RUBBER TIRES AND THE RETREADING AND RECAPPING OF RUBBER TIRES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 66 is amended in the following respects:

1. In § 1315.1215, Table I is amended to read as follows:

TABLE I.—PASSENGER-CAR TYPE OF TREAD,¹ INCLUDING STUDDED GROUND GRIP²

Tire size ³	Maximum prices for retreading or recapping, when the tire carcass is furnished by the purchaser			Add this price when the tire carcass is not furnished by the purchaser. The result is the maximum price for a retreaded or recapped tire
	When applying grade A ⁴ camel-back	When applying grade C ⁴ camel-back	When applying grade F ⁴ camel back or any rubber other than grade A or grade C camelback	
3.75-18...	\$4.55	\$4.35	\$4.25	\$2.75
4.25-12...	4.50	4.30	4.20	2.75
4.40-21...	4.75	4.55	4.45	2.75
4.50-20...	4.85	4.60	4.50	2.75
4.50-21...	5.20	5.00	4.85	2.75
4.75-19...	5.30	5.10	4.95	3.20
4.75-20...	5.50	5.25	5.10	3.20
5.00-16...	5.40	5.20	5.00	3.20
5.00-17...	5.60	5.40	5.20	3.20
5.00-19...	6.05	5.80	5.60	3.20
5.00-20...	6.25	6.00	5.80	3.20
5.00-21...	6.45	6.20	6.00	3.20
5.25-17...	6.00	5.75	5.60	3.20
5.25-18...	6.35	6.10	5.90	3.20
5.25-19...	6.40	6.15	5.95	3.20
5.25-20...	6.70	6.45	6.25	3.20
5.25-21...	6.90	6.60	6.40	3.20
5.50-16...	6.45	6.20	6.00	3.20
5.50-17...	6.55	6.30	6.10	3.20
5.50-18...	7.15	6.85	6.65	3.20
5.50-19...	7.40	7.05	6.85	3.20
5.50-20...	7.50	7.15	6.95	3.20
6.00-16...	7.00	6.70	6.50	3.50
6.00-17...	7.90	7.60	7.35	3.50
6.00-18...	8.50	8.15	7.90	3.50
6.00-19...	8.80	8.45	8.30	3.50
6.00-20...	8.95	8.55	8.45	3.50
6.00-21...	9.45	9.05	8.75	3.50
6.25-16...	7.70	7.40	7.15	4.00
6.50-15...	8.05	7.70	7.45	4.00
6.50-16...	8.15	7.80	7.55	4.00
6.50-17...	9.45	9.05	8.75	4.00
6.50-18...	9.60	9.20	8.90	4.00
6.50-19...	9.70	9.30	9.00	4.00
6.50-20...	9.80	9.35	9.10	4.00
7.00-15...	9.50	9.10	8.80	4.55
7.00-16...	9.70	9.30	9.00	4.55
7.00-17...	10.75	10.30	9.95	4.55
7.00-18...	10.85	10.40	10.05	4.55
7.00-19...	11.05	10.55	10.25	4.55
7.00-20...	11.25	10.75	10.45	4.55
7.00-21...	11.85	11.35	11.00	4.55
7.50-14...	10.50	10.05	9.75	5.25
7.50-15...	10.75	10.30	9.95	5.25
7.50-16...	10.90	10.45	10.10	5.25
7.50-17...	11.35	10.85	10.55	5.25

See footnotes at end of table.

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 11472, 12793.

TABLE I.—PASSENGER-CAR TYPE OF TREAD, INCLUDING STUDDED GROUND GRIP—Continued

Tire size	Maximum prices for retreading or recapping, when the tire carcass is furnished by the purchaser			Add this price when the tire carcass is not furnished by the purchaser. The result is the maximum price for a retreaded or recapped tire
	When applying grade A camel-back	When applying grade O camel-back	When applying grade F camel-back or any rubber other than grade A or grade C camel-back	
7.50-18..	\$11.45	\$10.95	\$10.65	\$5.25
7.50-19..	11.70	11.20	10.90	5.25
8.25-15..	13.45	12.90	12.50	6.55
8.25-16..	14.55	13.90	13.50	6.55

¹ Passenger-car type of tread includes any tread of a type generally recognized as designed primarily for use on passenger automobiles.

² Studded ground-grip type of tread is a passenger-car type of tread and includes any such tread designed for traction through mud, snow, sand, or soft ground.

³ For combination size tires, the maximum prices are the prices shown in the table for the larger of the combined sizes.

⁴ Grades A, C and F camelback mean camelback which complies with the specifications issued by the War Production Board for grades A, C and F camelback, respectively.

2. In § 1315.1215, Table II is amended by inserting \$31.80 in the Rock service column as the listed price for the 13.00-24 (12.75-24) size, 8 ply.

3. In § 1315.1215, Table II-A is amended by inserting \$85.80 in the Rock service column as the listed price for the 13.00-24 (12.75-24) size, 8 ply, by inserting \$62.95 three consecutive times in the Road grader column as the listed prices for the 14.00-20 size, in each of the three plies listed, and by revoking the price of \$62.95 listed in the Road grader column for the 14.00-24 (13.50-24) size.

This amendment shall become effective November 23, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18537; Filed, November 17, 1943;
4:24 p. m.]

PART 1382—HARDWOOD LUMBER

[MPR 146,¹ Amdt. 15]

APPALACHIAN HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register*

Maximum Price Regulation No. 146 is amended in the following respects:

1. In § 1382.11 (b), subparagraphs (1) through (17), (19) through (21) are amended; subparagraph (18) is redesignated (18A) and amended and new subparagraphs (18B), (18C) and (18D) are added, all to read as set forth below:

* Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 3776, 4179, 4852, 5520, 6053, 6998, 7600, 7747, 8198, 8350, 8384, 8948; 8 F.R. 3056, 5479, 9998, 14984.

(1) TOUGH ASH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$52.00	\$52.00	\$39.00	\$26.00
1 1/4.....	92.00	57.00	41.00	27.00
1 1/2.....	97.00	62.00	43.00	27.00
2.....	107.00	72.00	47.00	28.00
2 1/4.....	117.00	87.00	52.00	—
3.....	127.00	97.00	57.00	—
4.....	137.00	107.00	62.00	—

(2) BASSWOOD

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2 Common	No. 2B Common	No. 3 Common
1 1/2.....	\$58.00	\$41.00	\$35.00	\$30.00	\$27.00	—
3/4.....	67.00	47.00	39.00	34.00	31.00	—
3/8.....	75.00	52.00	42.00	38.00	34.00	—
1.....	87.00	62.00	50.00	43.00	39.00	\$28.00
1 1/4.....	92.00	65.00	52.00	45.00	40.00	27.00
1 1/2.....	94.00	67.00	54.00	47.00	41.00	27.00
2.....	100.00	72.00	58.00	48.00	42.00	28.00
2 1/4.....	110.00	79.00	62.00	52.00	—	—
3.....	125.00	84.00	68.00	52.00	—	—
4.....	135.00	94.00	71.00	57.00	—	—

(3) BEECH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3A Common	Box Grade	No. 3B Common
1 1/2.....	\$49.00	\$38.00	\$28.00	—	—	—
3/4.....	55.00	43.00	31.00	—	—	—
3/8.....	62.00	47.00	34.00	—	—	—
1.....	71.00	54.00	39.00	\$31.00	\$26.00	\$21.00
1 1/4.....	75.00	56.00	41.00	32.00	27.00	22.00
1 1/2.....	78.00	58.00	42.00	32.00	27.00	22.00
2.....	83.00	63.00	46.00	33.00	28.00	23.00

(4) BIRCH

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3A Common	Box Grade	No. 3B Common
1.....	\$113.00	\$69.00	\$47.00	\$31.00	\$26.00	\$21.00
1 1/4.....	118.00	74.00	49.00	32.00	27.00	22.00
1 1/2.....	120.00	77.00	52.00	32.00	27.00	22.00
2.....	130.00	87.00	55.00	33.00	28.00	23.00
2 1/4.....	137.00	97.00	57.00	—	—	—
3.....	142.00	102.00	62.00	—	—	—
4.....	152.00	112.00	67.00	—	—	—

(5) BUCKEYE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$67.00	\$47.00	\$37.00	\$26.00
1 1/4.....	72.00	48.00	37.00	27.00
1 1/2.....	75.00	50.00	37.00	27.00
2.....	77.00	50.00	37.00	28.00

(6) BUTTERNUT

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$80.00	\$50.00	\$37.00	\$26.00
1 1/4.....	90.00	55.00	39.00	27.00
1 1/2.....	95.00	60.00	40.00	27.00
2.....	105.00	70.00	42.00	28.00

(7) CHERRY

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$117.00	\$75.00	\$49.00	\$29.00
1 1/4.....	147.00	92.00	54.00	31.00
1 1/2.....	157.00	97.00	55.00	31.00
2.....	172.00	107.00	59.00	34.00
2 1/4.....	187.00	122.00	—	—
3.....	197.00	132.00	—	—
4.....	207.00	147.00	—	—

(8) CHESTNUT—WHAD

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1 1/2.....	\$51.00	\$52.00	—	—
3/4.....	60.00	59.00	—	—
3/8.....	68.00	65.00	—	—
1.....	120.00	75.00	\$31.00	\$25.00
1 1/4.....	125.00	80.00	31.00	26.00
1 1/2.....	125.00	80.00	31.00	26.00
2.....	130.00	85.00	31.00	27.00
2 1/4.....	—	—	31.00	—
3.....	—	—	31.00	—

(9) CHESTNUT—WHND

Thickness (inches)	FAS	No. 1 Common and Better	No. 1 Common	Sound Wormy
1 1/2.....	\$45.00	\$30.00	\$37.00	\$33.00
3/4.....	60.00	43.00	41.00	37.00
3/8.....	55.00	47.00	45.00	41.00
1.....	65.00	56.00	52.00	47.00
1 1/4.....	67.00	60.00	56.00	51.00
1 1/2.....	70.00	61.00	57.00	52.00
2.....	75.00	66.00	62.00	57.00
2 1/4.....	—	—	—	60.00
3.....	—	—	—	65.00

(10) HICKORY

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
1.....	\$82.00	\$47.00	\$31.00	\$26.00
1 1/4.....	92.00	49.00	34.00	27.00
1 1/2.....	92.00	52.00	40.00	27.00
2.....	102.00	57.00	40.00	28.00
2 1/4.....	112.00	67.00	—	—
3.....	122.00	72.00	—	—
4.....	132.00	77.00	—	—

(11) HARD MAPLE

Thick- ness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	Box Grade	No. 3B Common
3/4	\$67.00	\$47.00	\$30.00	\$30.00			
5/8	77.00	53.00	33.00	33.00			
3/4	86.00	59.00	37.00	37.00			
1	102.00	68.00	42.00	42.00	\$31.00	\$26.00	\$21.00
1 1/4	112.00	73.00	45.00	45.00	32.00	27.00	22.00
1 1/2	117.00	76.00	47.00	47.00	32.00	27.00	22.00
2	122.00	83.00	49.00	49.00	33.00	28.00	23.00
2 1/2	137.00	97.00					
3	152.00	112.00					
4	167.00	129.00					

(12) SOFT MAPLE

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	No. 3 Common
3/4		\$60.00	\$43.00	\$30.00
5/8		68.00	48.00	33.00
3/4		76.00	54.00	37.00
1		88.00	62.00	42.00
1 1/4		93.00	67.00	45.00
1 1/2		95.00	69.00	47.00
2		103.00	77.00	49.00
2 1/2		117.00	87.00	
3		132.00	97.00	
4		147.00	112.00	

(13) RED OAK—PLAIN

Thick- ness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
3/4	\$55.00	\$39.00	\$30.00	\$30.00		
5/8	63.00	45.00	34.00	34.00		
3/4	72.00	50.00	37.00	37.00		
1	86.00	62.00	43.00	43.00	\$31.00	\$21.00
1 1/4	93.00	66.00	46.00	47.00	31.00	21.00
1 1/2	94.00	66.00	49.00	50.00	31.00	21.00
2	102.00	70.00	53.00	55.00	31.00	21.00
2 1/2	127.00	84.00				
3	145.00	94.00				
4	160.00	107.00				

(14) RED OAK—QUARTERED

Thick- ness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
3/4	\$65.00	\$43.00	\$33.00	\$30.00		
5/8	75.00	49.00	37.00	34.00		
3/4	83.00	54.00	41.00	37.00		
1	97.00	62.00	43.00	43.00	\$31.00	\$21.00
1 1/4	107.00	67.00	46.00	47.00		
1 1/2	112.00	72.00	49.00	50.00		
2	122.00	77.00	53.00	55.00		

(15) WHITE OAK—PLAIN—WHAD

Thick- ness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
3/4	\$75.00	\$43.00	\$32.00	\$30.00		
5/8	85.00	48.00	36.00	34.00		
3/4	97.00	53.00	40.00	37.00		
1	113.00	65.00	43.00	43.00	\$31.00	\$21.00
1 1/4	120.00	70.00	46.00	47.00	31.00	21.00
1 1/2	122.00	71.00	49.00	50.00	31.00	21.00
2	132.00	76.00	53.00	55.00	31.00	21.00
2 1/2	152.00	94.00				
3	167.00	108.00				
4	182.00	123.00				

(16) WHITE OAK—PLAIN—WHND

Thickness (inches)	FAS	No. 1 Common and Bet- ter	No. 1 Common
3/4		\$47.00	\$35.00
5/8		54.00	39.00
3/4		60.00	44.00
1		73.00	57.00
1 1/4		80.00	61.00
1 1/2		82.00	63.00
2		92.00	67.00
2 1/2		112.00	87.00
3		127.00	102.00
4		142.00	112.00

(17) WHITE OAK—QUARTERED

Thick- ness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common	Sound Wormy	No. 3A Common	No. 3B Common
3/4	\$87.00	\$56.00	\$33.00	\$30.00		
5/8	99.00	63.00	37.00	34.00		
3/4	114.00	71.00	41.00	37.00		
1	132.00	82.00	43.00	43.00	\$31.00	\$21.00
1 1/4	142.00	89.00	46.00	47.00		
1 1/2	152.00	97.00	49.00	50.00		
2	167.00	107.00	53.00	55.00		
2 1/2	182.00	117.00				
3	197.00	127.00				

(18A) YELLOW POPLAR—PLAIN

Thick- ness (inches)	FAS	Saps	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
3/4	\$62.00	\$51.00	\$43.00	\$36.00	\$28.00	
5/8	70.00	58.00	48.00	40.00	32.00	
3/4	78.00	65.00	54.00	44.00	35.00	
1	90.00	75.00	62.00	51.00	40.00	\$26.00
1 1/4	96.00	80.00	66.00	53.00	41.00	27.00
1 1/2	99.00	83.00	70.00	55.00	42.00	27.00
2	111.00	90.00	75.00	59.00	43.00	28.00
2 1/2	130.00	105.00	87.00	63.00		
3	142.00	117.00	97.00	67.00		
4	157.00	132.00	112.00			

(18B) YELLOW POPLAR SQUARES

Thickness and Width (inches)	FAS	No. 1 Common
3 x 3	\$117.00	\$72.00
4 x 4	127.00	77.00
5 x 5	137.00	82.00
6 x 6	142.00	87.00
7 x 7	172.00	107.00
8 x 8	182.00	117.00
10 x 10	207.00	137.00
12 x 12	232.00	167.00

(18C) YELLOW POPLAR—PANEL AND WIDE NO. 1

Thickness (inches)	Widths (inches)	Price
1	18 and 19	\$107.00
1	20 and 21	112.00
1	22 and 23	117.00
1	24 to 27	122.00
1 1/4	18 and 19	117.00
1 1/4	20 and 21	122.00
1 1/4	22 and 23	127.00
1 1/4	24 to 27	132.00
1 1/2	18 and 19	127.00
1 1/2	20 and 21	132.00
1 1/2	22 and 23	137.00
1 1/2	24 to 27	142.00
2	18 and 19	137.00
2	20 and 21	142.00
2	22 and 23	147.00
2	24 to 27	152.00

(18D) YELLOW POPLAR—BUNG LUMBER

Thickness (inch)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2 Common
1	\$95.00	\$66.00	\$56.00

(19) YELLOW POPLAR—QUARTERED

Thickness (inches)	FAS	No. 1 Common and Selects or No. 1 Common	No. 2A Common	No. 2B Common	No. 3 Common
3/4	\$65.00	\$46.00	\$36.00	\$28.00	
5/8	74.00	52.00	40.00	32.00	
3/4	83.00	58.00	44.00	35.00	
1	96.00	67.00	51.00	40.00	\$26.00
1 1/4	102.00	71.00	53.00	41.00	27.00
1 1/2	105.00	75.00	55.00	42.00	27.00
2	118.00	81.00	59.00	43.00	28.00

(20) STRIPS

Species	Manufac- ture	Thick- ness (inch)	Width (inches)	Grade
Red Oak	Quartered	1	2 to 5 1/2	\$72.00
White Oak	Quartered	1	2 to 5 1/2	\$47.00

(21) BOX BOARDS

Species	Thick- ness (inch)	Widths (inches)
Yellow Poplar	1	9 to 12 13 to 17

2. In § 1382.11 (b) (22), in notes on Red Oak and White Oak—Structural Stock or Sound Square Edge, a new note is added, reading as follows:

Deductions for mixed hardwoods. For mixed hardwoods, structural stock or sound square edge, deduct \$4.00 from the maximum price for white oak or red oak—structural stock or sound square edge in the same size in above schedule.

3. Section 1382.11 (c) is amended to read as follows:

(c) *Maximum prices for dunnage.*
(1) The maximum rail-delivered price for 1,000 feet of dunnage lumber shall be as follows:

Delivered at:	Maximum delivered price
Baltimore, Maryland.....	\$32.00
Beaumont, Texas.....	22.00
Boston, Massachusetts.....	36.00
Charleston, South Carolina.....	23.00
Corpus Christi, Texas.....	23.00
Galveston, Texas.....	23.00
Gulfport, Mississippi.....	22.00
Houston, Texas.....	23.00
Jacksonville, Florida.....	23.00
Lake Charles, Louisiana.....	22.00
Mobile, Alabama.....	22.00
Morgan City, Louisiana.....	22.00
Newark, New Jersey.....	34.00
New Orleans, Louisiana.....	22.00
New York, New York.....	34.00
Pensacola, Florida.....	23.00
Philadelphia, Pennsylvania.....	33.00
Port Arthur, Texas.....	23.00
Portsmouth, Virginia.....	26.00
Savannah, Georgia.....	23.00
Tampa, Florida.....	25.00

(2) The maximum price for dunnage delivered at the above ports by water shall be the rail-delivered price as above set forth less the difference between the rail transportation charge from the point of shipment to the particular port, computed by multiplying the applicable rail rate by the weight of the lumber based on 3500 pounds per M'BM, and the actual water transportation charge from the point of shipment to the particular port.

(3) The term "dunnage" as used above means lumber of any hardwood species, of standard widths and lengths, but poorer in quality than the lowest standard grade in the particular species.

4. Section 1382.11 (d) is amended to read as follows:

(d) *Deduction for green.* For lumber shipped in a "green" condition, deduct from the maximum prices for air-dried lumber established in this Appendix "A", 10 per cent of the maximum price for rough, air-dried material in the same specifications.

This deduction shall not apply to special sawn timbers, tough ash lumber, or to lumber customarily used without air seasoning, but it shall apply to any lumber which requires further air seasoning by the purchaser before being placed in the kiln for kiln-drying, or before fabrication if not kiln-dried.

The mere fact that the lumber is not used immediately, but is stored on the purchaser's yard, does not necessarily

mean that green lumber has been shipped, but in case of dispute any lumber which weighs 25% or more in excess of the air-dried weight as published in the Rules for the Measurement and Inspection of Hardwood Lumber, issued by the National Hardwood Lumber Association, January 1, 1943, or for weights filed with the Office of Price Administration by the individual shippers, shall be considered to be "green".

Any purchaser who accepts "green" lumber at prices applicable to "dry" lumber is guilty of violation of the Regulation to the same extent as the seller.

5. Section 1382.11 (e) (4) is amended to read as follows:

(4) MILL-WORKING

	Less than 1", 1" and 1 1/4" thick	1 1/2" to 3" thick
Resawing 1 line.....	\$3.00	\$2.50
Resawing 2 lines.....	5.50	4.50
Surfacing 1 or 2 sides.....	2.50	2.25
Surfacing 2 sides and Resawing.....	5.00	4.25
Resawing and Surfacing 1 or 2 sides.....	5.50	4.75
Surfacing 3 or 4 sides or 1 side and 1 edge.....	4.00	3.50

6. In § 1382.11 (g) (3), subdivision (ii) is revoked, and subdivision (iii) is redesignated (ii).

7. In § 1382.14 (b) (1) is amended to read as follows:

(b) *Maximum prices for grades, specifications and extras not specifically priced.* (1) The maximum price for Appalachian hardwood lumber in grades, specifications and extras not specifically priced in Appendices A and C, shall be a price which bears the October 1941 relation to the most comparable standard item. The seller should find his price difference between the special item and this most comparable standard item in October 1941 or the first month before that in which he had sales of both items, or if this is impossible, the price differential he would have used. This difference is then added to or subtracted from the maximum price of the comparable standard grade, and the result is the maximum price for the special grade. This price must be reported to the Office of Price Administration, Washington, D. C. on OPA Form 246: 1 Rev. given in paragraph (3) below. It may be ordered reduced, if it is found excessive. But if the price is not disapproved within 30 days of the receipt of the report it is approved.

Applications for approval of maximum prices for special grades and items under this section will be considered only when accompanied by (i) a true copy of the order or of customer's inquiry on the basis of which the application has been submitted; and (ii) a statement certified to be true by the purchaser or prospective purchaser to the effect that none of the grades specifically priced in the regulation will serve the purpose for which the stock is intended to be used,

which purpose is to be stated; that it has been his custom to purchase lumber on such special specifications. Approval of the price will be conditional on finding that the purpose for which the special grade item is to be used is classified by the War Production Board as essential to the war effort. Prices, when approved, for such special grades or items will be based on the price differential previously established between the particular special item requirement and the related grade rule specification.

This amendment shall become effective November 19, 1943.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18538; Filed, November 17, 1943; 4:23 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Corr. to Amdt. 23 to Supp. 1¹]

MEAT, FATS, FISH AND CHEESES

The designation, § 1407.3207, in Amendment 23 to Supplement 1 to Ration Order 16 is corrected to read, § 1407.3027.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WFB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 17th day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18539; Filed, November 17, 1943; 4:25 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMFR 183, Amdt. 13]

PUERTO RICO; ALCOHOLIC BEVERAGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 56 added to read as follows:

SEC. 56. *Maximum prices for imported liquors, imported and certain locally produced beer, and malt.*

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 3591, 3714, 4892, 5408, 5758, 6840, 7264, 7492, 8869, 9203, 10090, 10728, 11688, 12299, 12444, 12549, 13164, 13165.

² 8 F.R. 9532, 10763, 10906, 11437, 11847, 12549.

TABLE 47—MAXIMUM PRICES FOR CERTAIN LOCALLY PRODUCED BEER AND MALT

Items and brands	Size	Price to wholesalers	Price at wholesale	Price at retail
Beer: Corona—India—Tropical	Case of 24/12 oz.	\$2.70	\$3.00	Per unit \$0.15
	Case of 24/22 oz.	5.05	5.55	30 or \$0.30 or
				two for \$3.55
Malt	Case of 12/32 oz.	3.20	3.40	.35
	Keeg 1/2	11.30		
	Keeg 3/4	6.00		
	Case of 24/12 oz.	1.71	1.88	.10
	Case of 24/22 oz.	3.42	3.76	.18

TABLE 48—MAXIMUM PRICES FOR CERTAIN IMPORTED BEER

Items and brands	Size	Price to wholesalers	Price at wholesale	Price at retail
Beaver Brand	Case of 24/12 oz. tins	\$6.50	\$7.15	Per unit \$0.35

(a) Bottle deposits may be charged at the rate of 35 cents per case of 24/12 oz.; 45 cents for a case of 24/22 oz.; 30 cents for a case of 12/32 oz. and \$5.00 per keg.

This amendment shall become effective November 23, 1943.
(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18540; Filed, November 17, 1943; 4:25 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 188, Amdt. 15]

HAWAII; MAXIMUM PRICES FOR CERTAIN CANNED FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects:
1. Section 20 Table 3 is amended by adding a new brand to the category "Canned peaches; Yellow Freestone (halves)" to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price per can
Canned peaches: Yellow freestone (halves) Granny's style.	Case of 24/2½ tins	\$6.20	\$7.70	\$0.40

*Copies may be obtained from the Office of Price Administration.

18 F.R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13847, 14090, 14765, 15195.

2. Section 21 Table 4 is amended by adding the category "Grape juice" to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price per container
Grape juice: Welch	Case of 24 pints (glass)	\$4.80	\$5.20	\$0.22
Welch	Case of 12 quarts (glass)	4.55	5.00	.54

3. Section 24 Table 8 is amended by changing the price at wholesale of Tomato ketchup, Libby, Case of 24/8-ounce bottles from "\$3.00" to "\$3.60", and by adding three new brands to the category "Tomato ketchup" to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price per container
Tomato ketchup: Snider	Case of 24/14 oz. (glass)	\$4.25	\$4.90	\$0.26
Del Monte	Case of 24/12 oz. (glass)	3.75	4.30	.23
Del Monte	Case of 24/8 oz. (glass)	2.65	3.05	.17

4. Section 24 Table 9 is amended by changing the title, by adding five new brands to the category "Tomato juice" and by adding the category "Tomato cocktail" all to read as follows:

TABLE 9—MAXIMUM PRICES FOR TOMATO JUICE AND TOMATO COCKTAIL

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price per container
Tomato juice: Lily of the Valley	Case of 12/16 oz. glass	\$1.40	\$1.60	\$0.17
Lily of the Valley	Case of 12/20 oz. tin	1.45	1.65	.18
Snider	Case of 12/26 oz. glass	2.30	2.55	.27
Del Monte	Case of 48/4 oz. glass	2.25	2.60	.70
Tomato cocktail: Snider	Case of 6/10 tin	2.80	3.25	.70
Snider	Case of 48/4 oz. glass	2.25	2.60	.57
	Case of 12/26 oz. glass	2.18	2.50	.57

5. Section 25 Table 10 is amended by adding new brands to the types "Canned beets; Sliced" and "Canned beets; Diced", by adding six new types to the category "Canned beets"; by inserting the heading "Canned beans" before the category "Lima beans", and by adding 5 new types under this heading; by adding 3 new types to the category "Canned corn"; by amending the prices of "Canned carrots; Fancy diced" and "Canned carrots; Fancy shoestring", follows:

TABLE 10—MAXIMUM PRICES FOR CERTAIN CANNED VEGETABLES

Items and brand names	Unit	Price to whole-saler	Price at whole-sale	Retail price per container
Canned beets:				
Sliced: Lily of the Valley.....	Case of 12/16 oz. (glass).....	\$1.40	\$1.60	\$0.17
Diced:				
Snider.....	Case of 12/16 oz. (glass).....	1.40	1.60	.17
Snider.....	Case of 24/#2 cans.....	2.40	2.75	.15
Lily of the Valley.....	Case of 24/#2 cans.....	2.40	2.75	.15
Small Rosebud whole:				
Lily of the Valley.....	Case of 24/#2 cans.....	3.35	3.85	.21
Lily of the Valley.....	Case of 24/#2½ cans.....	3.80	4.40	.24
Rosebud whole: Lily of the Valley.....	Case of 24/#2 cans.....	3.10	3.55	.19
Tiny Rosebud whole: Lily of the Valley.....	Case of 24/#2 cans.....	3.75	4.30	.23
Extra small Rosebud: Lily of the Valley.....	Case of 24/#2 cans.....	3.50	4.05	.22
Medium Rosebud whole: Lily of the Valley.....	Case of 24/#2½ cans.....	3.35	3.85	.21
Shoestring: Snider.....	Case of 12/16 oz. (glass).....	1.40	1.60	.17
Canned beans:				
Small whole gold wax: Lily of the Valley.....	Case of 24/#2 cans.....	5.25	6.00	.32
Cut gold wax: Lily of the Valley.....	Case of 24/#2 cans.....	4.60	5.30	.28
Tiny whole green: Lily of the Valley.....	Case of 24/#2 cans.....	5.95	6.80	.37
Small whole green: Lily of the Valley.....	Case of 24/#2 cans.....	5.50	6.30	.34
Medium whole green: Lily of the Valley.....	Case of 24/#2 cans.....	4.90	5.65	.31
Canned corn:				
White, sweet corn, country gentleman: Lily of the Valley.....	Case of 24/#2 cans.....	3.10	3.55	.18
Golden whole kernel: Lily of the Valley.....	Case of 24/#2 cans.....	3.60	4.10	.21
Golden vacuum packed: Lily of the Valley.....	Case of 24/12 oz. cans.....	2.85	3.25	.17
Canned carrots:				
Fancy diced: Lily of the Valley.....	Case of 24/#2 cans.....	2.55	2.90	.15
Fancy shoestring: Lily of the Valley.....	Case of 24/#2 cans.....	2.55	2.90	.15
Canned peas:				
Tender sweet: Lily of the Valley.....	Case of 24/#2 cans.....	3.30	3.75	.19
Canned peas and carrots: Lily of the Valley.....	Case of 24/#2 cans.....	3.55	4.05	.21
Canned spinach: Lily of the Valley.....	Case of 24/#2½ cans.....	3.35	3.85	.21
Canned tomatoes:				
Fancy solid pack (uniform): Lily of the Valley.....	Case of 24/#2½ cans.....	4.40	5.00	.27
Fancy solid pack:				
Lily of the Valley.....	Case of 24/#2 cans.....	3.20	3.65	.20
Lily of the Valley.....	Case of 24/#2½ cans.....	3.90	4.45	.24

6. Section 25a Table 10a is amended by adding a new brand to read as follows:

Items and brand names	Unit	Price to whole-saler	Price at whole-sale	Retail price per can
Snider Vegetable Cocktail.....	Case of 24/#2 cans.....	\$3.00	\$3.45	\$0.19

7. Section 40, Table 31 is amended by changing the title from "Maximum Prices for Klim, Nido, Kraft and Golden State Brands of Powdered Whole Milk" to "Maximum Prices for Klim, Nido, Kraft, Golden State and Dryco Brands of Powdered Whole Milk."

8. Section 32, Table 18a is amended by adding five new brands to the category "Vegetable oils" to read as follows:

Brand	Container—Size and Unit	Price to whole-saler	Price at whole-sale	Retail price per unit
Vegetable oils:				
San Rocco.....	Case 4/1 gal. jugs.....	\$7.15	\$7.85	\$2.45
San Leo.....	Case 6/1 gal. cans.....	11.65	12.80	2.65
Ro-K-Mors.....	Case 4/1 gal. glass.....	8.05	8.85	2.75
Liberty Maize.....	Case 6/1 gal. can.....	9.00	9.90	2.05
Wilson.....	Case 6/1 gal. can.....	9.00	9.90	2.05

9. Section 43 (b) (13) is amended by inserting the municipality "Corozal" after the municipality "Ciales" and by inserting the municipality "Juncos" after the municipality "Jayuya".

10. Section 43 (b) (14) is amended by deleting the municipalities "Corozal" and "Juncos".

11. Section 45 Table 37 is amended by adding the item "Regular hams, smoked" under the category "Pork" to read as follows:

Items and brand names	Unit	Price to whole-saler	Price at whole-sale	Retail price per unit
Soap chips:				
Super Suds.....	Case of 60's/9 oz.....	\$5.30	\$5.80	\$0.19
Super Suds.....	Case of 24's/1 lb. 8 oz.....	5.30	5.80	.30

This amendment shall become effective as of October 15, 1943, except with respect to the following:

(a) As to section 43 as of November 1, 1943.

(b) As to section 47 as of October 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18541; Filed, November 17, 1943; 4:24 p. m.]

PART 1444—ICE BOXES

[MPR 399, Amdt. 10]

NEW ICE BOXES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 399 is amended in the following respects:

Section 14, Table A, "Retail Ceiling Prices in Each State for Sales of Ice Boxes, by Ice Companies and Retail Establishments Controlled by Ice Companies," is amended by adding ceiling prices for a new model ice box as set forth below:

Manufacturer	Brand	Model	Rated ice capacity	Retail base price
Iceland Refrigerator Co., Inc.		909	Pounds 50	\$32.50

State:	Price
Alabama.....	\$32.50
Arizona.....	33.25
Arkansas.....	32.50
California.....	33.25
Colorado.....	33.00
Connecticut.....	32.50
Delaware.....	32.50
D. C.....	32.50
Florida.....	32.50
Georgia.....	32.50
Idaho.....	33.25
Illinois.....	32.50
Indiana.....	32.50
Iowa.....	32.50
Kansas.....	32.50
Kentucky.....	32.50
Louisiana.....	32.50
Maine.....	32.50
Maryland.....	32.50
Massachusetts.....	32.50
Michigan.....	32.50
Minnesota.....	32.50
Mississippi.....	32.50
Missouri.....	32.50
Montana.....	33.25
Nebraska.....	32.50
Nevada.....	33.25
New Hampshire.....	32.50
New Jersey.....	32.50
New Mexico.....	33.25
New York.....	32.50
No. Carolina.....	32.50
No. Dakota.....	33.25
Ohio.....	32.50
Oklahoma.....	32.50

*Copies may be obtained from the Office of Price Administration.

18 F.R. 7448, 9062, 11386, 11818, 13982, 14150, 14818.

State:	Price
Oregon.....	\$33.25
Pennsylvania.....	32.50
Rhode Island.....	32.50
So. Carolina.....	32.50
So. Dakota.....	32.75
Tennessee.....	32.50
Texas.....	32.75
Utah.....	33.25
Vermont.....	32.50
Virginia.....	32.50
Washington.....	33.25
W. Virginia.....	32.50
Wisconsin.....	32.50
Wyoming.....	33.00

2. Section 16, Table C, "Ceiling Prices in Each State for All Other Sales of Ice Boxes at Retail," is amended by adding ceiling prices for a new model ice box as set forth below:

Manufacturer	Brand	Model	Rated ice capacity	Retail base price
Iceland Refrigerator Co., Inc.		909	Pounds 50	\$36.50

State:	Price
Alabama.....	\$37.50
Arizona.....	38.75
Arkansas.....	37.75
California.....	38.75
Colorado.....	38.25
Connecticut.....	37.00
Delaware.....	37.00
District of Columbia.....	37.00
Florida.....	37.50
Georgia.....	37.50
Idaho.....	38.75
Illinois.....	37.50
Indiana.....	37.25
Iowa.....	37.50
Kansas.....	38.00
Kentucky.....	37.25
Louisiana.....	38.00
Maine.....	37.25
Maryland.....	37.00
Massachusetts.....	37.00
Michigan.....	37.25
Minnesota.....	37.75
Mississippi.....	37.75
Missouri.....	37.50
Montana.....	38.75
Nebraska.....	38.00
Nevada.....	38.75
New Hampshire.....	37.00
New Jersey.....	38.75
New Mexico.....	38.75
New York.....	37.00
North Carolina.....	37.25
North Dakota.....	38.00
Ohio.....	37.25
Oklahoma.....	38.00
Oregon.....	38.75
Pennsylvania.....	37.00
Rhode Island.....	37.00
South Carolina.....	37.25
South Dakota.....	38.00
Tennessee.....	37.50
Texas.....	38.25
Utah.....	38.75
Vermont.....	37.00
Virginia.....	37.00
Washington.....	38.75
West Virginia.....	37.00
Wisconsin.....	37.50
Wyoming.....	38.25

This amendment shall become effective on the 23d day of November 1943.

(Pub. Laws 421,729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 17th day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18542; Filed, November 17, 1943; 4:25 p. m.]

No. 230—3

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 1-2, Amdt. 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN THE BOSTON DISTRICT, MASS.

For reasons set forth in the statement of considerations issued simultaneously herewith, Restaurant Maximum Price Regulation No. 1-2 is hereby amended in the following respects:

1. Section 4 is amended to read as follows:

Sec. 4. No ceiling price to be higher than the highest price in the base period. The seller must not charge a higher price for a food item or meal than the highest price at which he offered a food item of the same class or meal of the same class, respectively, during the base period April 4, 1943, to April 10, 1943, inclusive, except that on Thanksgiving Day the seller must not charge a higher price for a dinner than the highest price at which he offered a dinner during the base period April 4, 1943, to April 10, 1943, inclusive, times 1.50.

2. Section 6 (a) and section 6 (c) are amended to read as follows:

Sec. 6. Evasion. (a) Deteriorating quality or reducing quantity without making appropriate reductions in price, except that the seller may reduce the quantity or butterfat content of cream used in the preparation or service of food items or meals without an appropriate reduction in price in order to meet the limitations imposed by Food Distribution Order 79-43, so long as they are in force and effect.

(c) Increasing any cover, minimum bread-and-butter, service, corkage, entertainment, check-room, parking or other special charges, or making such charges when they were not in effect in the seven-day period, except that a seller supplying special entertainment and favors on New Year's Eve may increase his cover or minimum charges to the extent that the Massachusetts State Office shall in writing authorize an increase to cover the increased costs of service, entertainment and favors upon written application by the seller, specifying such increased costs, filed on or before December 10 with the Massachusetts State Office of the Office of Price Administration.

This amendment shall become effective November 7, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 1st day of November 1943.

LAWRENCE J. BRESNAHAN,
State Director.

[F. R. Doc. 43-18543; Filed, November 17, 1943; 4:23 p. m.]

PART 1448—EATING AND DRINKING ESTABLISHMENTS

[Restaurant MPR 5-8, Amdt. 2]

FOOD AND DRINK SOLD FOR IMMEDIATE CONSUMPTION IN ST. LOUIS DISTRICT, MO.

For the reasons set forth in the statement of considerations, issued simul-

taneously herewith, Restaurant Maximum Price Regulation No. 5-8 is hereby amended in the following respects:

1. Section 8 (a) (3) is amended by adding to this section the words "prior to April 4, 1943" so that this subparagraph shall read as follows:

(3) Increasing any cover, minimum, bread-and-butter, service, corkage, entertainment, checkroom, parking or other special charges, or making such charges when they were not in effect in the seven-day period, except that a cover charge or minimum charge in effect during the base period may be increased in accordance with your customary practice, where it was the practice to vary the charge in accordance with the type of entertainment offered and the increase does not cause the charge to go above the highest charge made during the last twelve-month period prior to April 4, 1943.

2. Section 9 is amended by deleting the present provisions of section 9 and substituting therefor the following provisions so that section 9 shall read as follows:

Sec. 9. Rules for new proprietors. (a) If the business, assets, equipment, stock in trade, or the privilege or contractual right of operation of any eating or drinking establishment are sold or otherwise transferred to you after April 10, 1943, and you carry on the business in the same establishment, your ceiling prices shall be the same as those to which your transferor, or the person who had the privilege or contractual right of operation in the seven day period, would have been subject if no such transfer had taken place. The transferor, or the person who had the privilege or contractual right of operation, shall either preserve and make available, or turn over to you, all records which are necessary to enable you to comply with the record provisions of this regulation.

(b) However, if you can establish that you will be unable to operate your business on the basis of the prices established by your transferor, or the person who had the privilege or contractual right of operation, in lieu of using the provisions of (a) above, you may apply to the Office of Price Administration for permission to establish prices different from those established in the base period by your transferor, or the person who had the privilege or contractual right of operation. If you desire to file an application for permission to establish new prices as described herein, you shall submit to the St. Louis District Office of the Office of Price Administration a statement setting forth:

(1) Your name and address.

(2) A description of the eating establishment which you propose to open, including: type of service to be rendered (such as cafeteria, table service, etc.), classes of meals to be offered (such as breakfast, lunch, and dinner), and such other information that may be useful in classifying your establishment.

(3) A detailed description of the type of operation conducted by your transferor, or the person who had the privilege or contractual right of operation.

(4) A detailed statement of the reasons why you believe you are unable to

operate on the basis of the prices charged by your transferor, or the person who had the privilege or contractual right of operation.

(5) A list showing the prices which you request, as compared with the prices of your transferor, or the person who had the privilege or contractual right of operation.

(6) Such other information as may be requested by the St. Louis District Office. If you wish to file an application under the provisions of this section 9 (b), you must file such application with the St. Louis District Office of the Office of Price Administration either within 60 days of the effective date of Restaurant Maximum Price Regulation No. 5-8, or within 60 days of the date on which the business, assets, equipment, stock in trade, or the privilege or contractual right of operation of any eating or drinking establishment are sold or otherwise transferred to you, whichever date is later. If the St. Louis District Office of the Office of Price Administration does not disapprove your application within 20 days from the time it is received by the St. Louis District Office, the prices which you request in your application, as described above, shall be your ceiling prices.

(c) If you open a new eating or drinking place after the seven-day base period, you must fix your ceiling prices in line with the ceiling prices of the nearest eating or drinking place of the same type as yours. As soon as such ceiling prices are established by you, you must submit them to the St. Louis District Office of the Office of Price Administration for approval. If the ceiling prices fixed by you are too high and threaten to have an inflationary effect on the price of food and drink, the Office of Price Administration may issue an order requiring you to reduce your ceiling price. The prices reported by you under this section shall be subject to adjustment at any time by the Office of Price Administration.

If you establish your ceiling prices under either paragraph (a), (b), or (c) above, you are subject to the record requirements of section 12 and the posting requirements of section 13 immediately upon the opening of your eating or drinking place.

3. Section 15 is amended by deleting the present provisions of section 15 and substituting therefor the following provisions so that section 15 shall read as follows:

Sec. 15. Relation to other Maximum Price Regulations. Sales of any food item or beverage now covered by the General Maximum Price Regulation or any other regulation shall not be covered by this Restaurant Maximum Price Regulation No. 5-8. Thus, sales of domestic malt beverages, such as beer and ale, remain under Maximum Price Regulation No. 259, Domestic Malt Beverages; all sales of sweet fluid milk remain under Amendment 133 to Supplementary Regulation No. 14 to the General Maximum Price Regulation; sales of soft

drinks, such as soda pop, remain under the General Maximum Price Regulation; and package sales of distilled spirits and wines remain under the provisions of Maximum Price Regulation No. 445.

This Amendment No. 2 to Restaurant Maximum Price Regulation No. 5-8 shall become effective on November 5, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681; Gen. Order 50, 8 F.R. 4808)

Issued this 5th day of November 1943.

WILLIAM H. BRYAN,
District Director.

[F. R. Doc. 43-18544; Filed, November 17, 1943; 4:26 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Order 302 Under 3 (b), Amdt. 1]

RADIO AND TELEVISION, INC.

Amendment No. 1 to Order No. 302 under § 1499.3 (b) of the General Maximum Price Regulation.

An opinion accompanying this amendment to Order No. 302 under § 1499.3 (b) of the General Maximum Price Regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1499.1738 (a) is amended to read as follows:

§ 1499.1738 *Approval of maximum prices for sales by Radio and Television, Inc., of three new model radios.* (a) Radio and Television, Inc., 244 Madison Avenue, New York, New York, may sell and deliver its three new model radios, numbers 400, 500 and 600, f. o. b. seller's point of shipment, exclusive of Federal Excise Tax, subject to discounts, allowances and terms no less favorable than those customarily granted by it, at prices no higher than those set forth below:

Model No. 400.....	\$126.81
Model No. 500.....	131.36
Model No. 600.....	135.91

This amendment shall become effective on the 18th day of November 1943.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of November 1943.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 43-18545; Filed, November 17, 1943; 4:23 p. m.]

PART 1314—RAW MATERIALS FOR SHOES AND LEATHER PRODUCTS

[MPR 357]

INDIA-TANNED GOATSKINS

Correction

In F.R. Doc. 43-5342, appearing on page 4474 of the issue for Wednesday, April 7, 1943, the last eight items in the table of price differentials per pound (second column, page 4475) represent the prices in cents per pound over base price.

TITLE 46—SHIPPING

Chapter II—Coast Guard: Inspection and Navigation

Subchapter O—Regulations Applicable to Certain Vessels and Shipping During Emergency

PART 153—BOATS, RAFTS, AND LIFESAVING APPLIANCES: REGULATIONS DURING EMERGENCY

AMENDMENTS TO REGULATIONS AND APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4488, 4491, as amended, 49 Stat. 1544, 54 Stat. 1028 (46 U.S.C. 375, 391a, 404, 481, 489, 367, 463a), and Executive Order 9083, dated February 28, 1942 (7 F.R. 1609), the following amendments to the Inspection and Navigation regulations, and approval of miscellaneous items of equipment for the better security of life at sea are prescribed:

Section 153.7a (b) is amended to read as follows:

§ 153.7a *Equipment for life rafts approved on and after 15 March, 1943.* * * *

(b) *Boathook.* One boathook of clear-grain white ash not less than 8 feet long by 1½ inches in diameter.

Section 153.12 is amended to read as follows:

§ 153.12 *Lifesaving suits.* Ocean and coastwise cargo and tank vessels of over 1,000 gross tons shall be equipped with one approved lifesaving suit for each person employed thereon by the operator of the vessel.

Section 153.14 is amended to read as follows:

§ 153.14 *Whistles and jackknives.* On all ocean and coastwise vessels of over 1,000 gross tons, each person employed thereon shall be equipped with a police whistle and a sailor's jackknife of rugged construction, the blade of which shall be about 3 inches in length, with a sheep-foot point. The handle of the jackknife shall be fitted with a shackle for attaching a lanyard. Such knives and whistles shall be carried, when practicable, attached to life jackets or lifesaving suits. All whistles and jackknives provided for use on merchant vessels on and after January 1, 1944, shall be of an approved type. Such equipment procured prior to January 1, 1944, may be continued in service provided it is in good and serviceable condition.

MISCELLANEOUS ITEMS OF EQUIPMENT APPROVED

The following miscellaneous items of equipment for the better security of life at sea are approved:

FIRE-RESISTIVE SUBSTANCES

Navy Deck Blue Machine Compound, Type 5, for use in the treatment of cotton drill covers of life preservers, finished by the American Pad & Textile Company, Greenfield, Ohio, furnished by the Buckeye Fabric Finishing Company, Coshocton, Ohio.

Fire-resistive treatment NA-RP-11, for use in the treatment of cotton drill covers of life preservers, manufactured by L. E. Carpenter & Company, Newark, N. J.

Fire-resistive treatment NA-RP-12, for use in the treatment of cotton drill covers of

life preservers, manufactured by L. E. Carpenter & Company, Newark, N. J.

LIFE RAFTS

20-person, improved type, reversible metallic life raft (General Arrangement Assembly Dwg. No. 4 US-303-A-3, dated 30 April, 1943, revised 20 May, 1943, and 2 September, 1943), submitted by the Globe American Corp., Kokomo, Ind.

20-person, improved type, metallic life raft (Dwgs. Nos. LR 12A and LR 12B, dated 25 October, 1943), submitted by the Weber Showcase & Fixture Co., Inc., Los Angeles, Calif.

LIFESAIVING NET

S. O. S. Lifesaving net (Dwg. No. 1737, Sheet No. 1, dated 12 June, 1943), manufactured by L. A. Young Spring & Wire Corp., Oakland, Calif.

LIFESAIVING SUIT

Synthetic rubber lifesaving suit (Neoprene), Model No. 6 (Coast Guard Specifications dated 1 September, 1943), submitted by B. F. Goodrich Company, Akron, Ohio.

SEA ANCHOR

Karlson sea anchor No. 10 (Dwg. Plate #1150 and Specification dated 1 November, 1943), submitted by Maritime Canvas & Rope Company, New York, N. Y.

DAVIT

Sheath screw davit, size 4-CS-6-6 (General Arrangement Dwg. No. 330-D, dated 30 March, 1942, revised 16 June, 1942) (Maximum working load 5,500 pounds per arm), submitted by The Landley Company, Inc., New York, N. Y.

LIFEBOAT

24' x 8' x 3.5' Metallic motor lifeboat (364 Cu. Ft. net capacity) (General Arrangement Dwg. No. G-325, dated 30 September, 1943), submitted by C. C. Galbraith & Son, Inc., New York, N. Y.

LUMINOUS CLOTH OR TAPE FOR MARKING INTERIOR ACCOMMODATIONS, ETC.

Luminous tape, designated "Lumanize" tape, submitted by the Lunex Corp., Davenport, Iowa.

Luminous tape, Type A, submitted by the Hyperion Products Corp., New York, N. Y.

L. T. CHALKER,
Acting Commandant.

NOVEMBER 17, 1943.

[F. R. Doc. 43-18548; Filed, November 18, 1943; 9:27 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[ODT 6A, General Permit 1]

PART 521—CONSERVATION OF MOTOR EQUIPMENT; EXCEPTIONS, PERMITS, AND EXEMPTIONS

COLLECTION AND DELIVERY OF PERISHABLE PROPERTY TRANSPORTED OR TO BE TRANSPORTED BY RAIL CARRIER

In accordance with the provisions of § 501.24 of General Order ODT 6A, as amended, it is hereby authorized that:

§ 521.2011 *Collection and delivery of perishable property transported or to be transported by rail carrier.* Notwith-

standing the provisions of § 501.23 (a) (4) of General Order ODT 6A, as amended, any local carrier may make, between the same points of origin and destination during any calendar day, 2 collections and 2 deliveries of perishable property: *Provided*, That such collections and deliveries, respectively, are made in connection with line-haul transportation by rail carrier performed on different schedules.

This General Permit ODT 6A-1 shall become effective November 20, 1943.

(E.O. 8989, as amended, 9156; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349; General Order ODT 6A, as amended, 8 F.R. 8757, 14582)

Issued at Washington, D. C. this 18th day of November 1943.

JOSEPH B. EASTMAN,

Director,

Office of Defense Transportation.

[F. R. Doc. 43-18549; Filed, November 18, 1943; 9:50 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

EMERGENCY RADIO SERVICES

NOTICE TO ALL LICENSEES OF SPECIAL EMERGENCY STATIONS

The Commission has recently received reports indicating that some licensees of Special Emergency Stations are transmitting an excessive number of test messages.

Under § 10.72 of the Commission's rules, stations in the emergency radio service are permitted to make such tests as may be required for the proper maintenance of the stations and the communication systems: *Provided*, That all necessary precautions are taken to avoid interference with other stations: *And Provided*, further, That such testing shall not exceed the minimum necessary to insure reliable communication:

In view of the fact that each emergency message is a test of the operating condition of the radio-communication system, regular transmission of hourly test messages does not appear necessary to insure reliable communication. Neither does it appear that regular transmissions of time announcements are necessary. Licensees of special emergency stations now making a practice of regular test or time announcements should take steps to eliminate all transmissions not relevant to emergencies and to reduce the number of test messages to the minimum necessary to insure reliable communication.

Dated November 16, 1943.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION.

T. J. Slowie, Secretary.

[F. R. Doc. 43-18553; Filed, November 18, 1943; 10:20 a. m.]

FEDERAL POWER COMMISSION.

[Project No. 432]

CAROLINA POWER & LIGHT CO.

ORDER FIXING DATE OF HEARING

NOVEMBER 16, 1943.

It appearing to the Commission that:

The matters involved in the determination of the actual legitimate original cost of the initial project, as of February 28, 1931, and the property changes for the period March 1, 1931, to December 31, 1932, Waterville Project No. 432, Carolina Power & Light Company, Licensee, are now at issue:

The Commission Orders, That:

A public hearing be held commencing at 9:45 a. m., January 12, 1944, in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in the determination of the actual legitimate original cost of the initial project, as of February 28, 1931, and the property changes in the project for the period March 1, 1931, to December 31, 1932, and the accounting to be prescribed therefor, including the disposition on the books of account of said Licensee of such amounts as may be disallowed as not part of such actual legitimate original cost.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 43-18552; Filed, November 18, 1943; 10:04 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 822, Amendment]

AGNES LINSNER AND KLARA JAHN

In re: Certain real property in New York, together with a bank account, owned by Agnes Linsener and Klara Jahn.

Vesting Order Number 822, dated February 8, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of both Agnes Linsener and Klara Jahn is 18 Laubacherstrasse, Berlin, Friedenau, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Agnes Linsener and Klara Jahn are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. An undivided one-half interest in and to that certain real property situated in the Borough of Manhattan, City, County and State of New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Agnes Linsener and Klara Jahn, and each of them, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to them, or either of them, by Bankers Trust Company, New York, New York, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations, and including particularly the account with said Bankers Trust Company in the name of Peaslee, Brigham and Albrecht, Special Atty's Account, held for Agnes Linsener and Klara Jahn,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on November 12, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land situate, lying and being in the City of New York, bounded and described as follows:

Beginning at a point on the southerly side of Thirty-fourth Street distant one hundred and fifteen (115) feet easterly from the corner formed by the intersection of the southerly side of Thirty-fourth Street with the easterly side of Lexington Avenue; running thence southerly parallel with Lexington Avenue one hundred and twenty nine feet six inches; thence easterly, parallel with Thirty-fourth Street fourteen feet; thence southerly parallel with Lexington Avenue to the boundary lines between lands now or lately belonging to Annie M. Ihlseng and W. T. Black; thence southeasterly to a point distant sixty feet eight inches northerly from the northerly side of Thirty-third Street on a line at right angles with said street and distant one hundred and forty-eight feet easterly from the easterly side of Lexington Avenue on a line at right angles with said avenue; thence northerly parallel with Lexington Avenue thirty-eight feet one inch to the centre line of the block between Thirty-third and Thirty-fourth Streets; thence westerly along the said centre line, thirteen feet; thence northerly parallel with Lexington Avenue ninety-eight feet nine inches to the southerly side of Thirty-fourth Street; thence westerly along the southerly side of Thirty-fourth Street twenty feet to the point or place of beginning; the easterly and westerly walls of the dwelling house standing upon said premises being party walls.

Being the same premises conveyed to Carl Damschinsky by George H. Barnes, by deed dated December 19, 1893, and recorded in the office of the Register of the City and County of New York on the 19th day of December, 1893, in Block Series (Conveyances), Section 3, Liber 25, Page 396, and indexed under Block number 889 on the Land Map of the City of New York; and being the same premises devised and bequeathed by the Last Will and Testament of the said Carl Damschinsky, who died on or about March 13, 1928, and whose last Will and Testament was duly admitted to probate (P1138-1928) by the Surrogate's Court of the State of New York, County of New York, on the 18th day of June, 1928, and which was filed and recorded in the office of the Clerk of said Court, in Liber 1389 of Wills, at page 481 et seq.

[F. R. Doc. 43-18575; Filed, November 18, 1943; 10:48 a. m.]

[Vesting Order 2553]

ARTHUR CARL AHRENS

In re: Estate of Arthur Carl Ahrens, deceased; File D-28-1752; E. T. sec. 1042.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by The Whitney National Bank of New Orleans and S. L. Vaccaro, as Executors, acting under the judicial supervision of the Civil District Court for the Parish of Orleans, State of Louisiana;

(2) Such property and interests are payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Dr. Georg Ahrens, Germany.
Arthur Ahrens, Germany.
Rudolph Ahrens, Germany.
Erica Ahrens, Germany.

Annemarie Ahrens, Germany.
Gisela Moeschke, Germany.
Gertrude V. Twardowske, Germany.
Dr. Else Vollers, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Dr. Georg Ahrens, Arthur Ahrens, Rudolph Ahrens, Erica Ahrens, Annemarie Ahrens, Gisela Moeschke, Gertrude V. Twardowske, and Dr. Else Vollers, and each of them, in and to the Estate of Arthur Carl Ahrens, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18576; Filed, November 18, 1943; 10:48 a. m.]

[Vesting Order 2554]

ELLA BARTELS

In re: Mortgage Participation Certificate #184 of Series N64 issued by the New York Title and Mortgage Company to Ella Bartels; File No. F-28-17645; E. T. sec. 904.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Manufacturers Trust Company, Trustee, acting under the

judicial supervision of the Supreme Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ella Bartels, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ella Bartels, in and to the Mortgage Participation Certificate No. 184 of Series N64 for \$1,000.00, issued by the New York Title and Mortgage Company, New York, New York,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18577; Filed, November 18, 1943;
10:48 a. m.]

[Vesting Order 2555]

NICOLA BELEZZA

In re: Trust under the will of Nicola Belezza, deceased; File D-38-1109; E. T. sec. 2538.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the pro-

cess of administration by the People's Savings and Trust Company, Trustee, acting under the judicial supervision of the Orphans' Court of Luzerne County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely:

Nationals and Last Known Address

Antonio Pisani, Italy.
Clementina Pisani Belli, Italy.
Ida Pisani, Italy.
Eleanora Pisani, Italy.
Andrea Pisani, Italy.
Rosina Belli, Italy.
Luigi Belli, Italy.
Lucia Belli, Italy.
Andrea Belli, Italy.
Vincenzo Belli, Italy.
Maria Belli, Italy.
Ernestina Belli, Italy.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Antonio Pisani, Clementina Pisani Belli, Ida Pisani, Eleanora Pisani, Andrea Pisani, Rosina Belli, Luigi Belli, Lucia Belli, Andrea Belli, Vincenzo Belli, Maria Belli, and Ernestina Belli, and each of them, in and to the trust estate created under the will of Nicola Belezza, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18578; Filed, November 18, 1943;
10:48 a. m.]

[Vesting Order 2556]

FLORIAN BERNINGER

In re: Estate of Florian Berninger, deceased; File F-28-7276; E. T. sec. 1484.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Gerhardt S. Klesow, Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court, Monroe County, of the State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Rosamunda Boetsch, Germany.
Otto Berninger, Germany.
Oskar Berninger, Germany.
Isador Berninger, Germany.
Heinrich Berninger, Germany.
Eugen Berninger, Germany.
Gustav Berninger, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Rosamunda Boetsch, Otto Berninger, Oskar Berninger, Isador Berninger, Heinrich Berninger, Eugen Berninger and Gustav Berninger, and each of them, in and to the Estate of Florian Berninger, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18579; Filed, November 18, 1943;
10:48 a. m.]

[Vesting Order 2557]

HERMAN BOKLAGE

In re: Estate of Herman Boklage, deceased; File D-28-3326; E. T. sec. 742.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Stephen Schmitt, 512 Endicott Building, St. Paul, Minnesota, Executor, acting under the judicial supervision of the Probate Court of the State of Minnesota, in and for the County of Ramsey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Wilhelmina Holthaus, Germany.
Maria Boklage, Germany.
Elizabeth Boklage, Germany.
Fritz Buldmann, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilhelmina Holthaus, Maria Boklage, Elizabeth Boklage and Fritz Buldmann, and each of them, in and to the estate of Herman Boklage, deceased.

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form

APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18580; Filed, November 18, 1943;
10:48 a. m.]

[Vesting Order 2558]

FRED R. CYRIACKS

In re: Estate of Fred R. Cyriacks, sometimes known as F. R. Cyriacks, and Rudi Cyriacks, deceased; File D-28-4004; E. T. sec. 6934.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman Cyriacks, Administrator, and Fay Maxey, Administratrix, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinz Cyriacks, Germany.
Meta C. Schroeder, Germany.
George Cyriacks, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinz Cyriacks, Meta C. Schroeder and George Cyriacks and each of them in and to the Estate of Fred R. Cyriacks, sometimes known as F. R. Cyriacks, and Rudi Cyriacks, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should

be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18563; Filed, November 18, 1943;
10:49 a. m.]

[Vesting Order 2559]

HERMINE BACHER DEUTSCH

In re: Succession of Hermine Bacher Deutsch, deceased; File D-6-1013; E. T. sec. 8141.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Hermann B. Deutsch, Executor, acting under the judicial supervision of the Civil District Court, Parish of Orleans, Louisiana;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Ottile Reiniger, Spielmann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ottile Reiniger Spielmann in and to the succession of Hermine Bacher Deutsch, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18564; Filed, November 18, 1943;
10:49 a. m.]

[Vesting Order 2560]

CHARLES H. GERDES

In re: Trust under the will of Charles H. Gerdes, deceased; File D-66-447; E. T. sec. 3256.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Fidelity Union Trust Company of Newark, New Jersey, Executor and Trustee, acting under the judicial supervision of the Essex County Orphans' Court, Essex County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals and a political subdivision of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Gerdes Hildebrandt and her issue, whose names are unknown, Germany.

Claus Gerdes and his issue, whose names are unknown, Germany.

Metha Gerdes Fink and her issue, whose names are unknown, Germany.

Wilhelm Gerdes and his issue, whose names are unknown, Germany.

Metha Gerdes Siems and her issue, whose names are unknown, Germany.

Tillie Gerdes Schriefer and her issue, whose names are unknown, Germany.

Carl Gerdes and his issue, whose names are unknown, Germany.

Village of Ringstedt, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Anna Gerdes

Hildebrandt, and her issue, names unknown, Claus Gerdes, and his issue, names unknown, Metha Gerdes Fink, and her issue, names unknown, Wilhelm Gerdes, and his issue, names unknown, Metha Gerdes Siems, and her issue, names unknown, Tillie Gerdes Schriefer, and her issue, names unknown, Carl Gerdes, and his issue, names unknown, and Village of Ringstedt, and each of them, in and to the Trust established under the Last Will and Testament of Charles H. Gerdes, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18565; Filed, November 18, 1943;
10:49 a. m.]

[Vesting Order 2561]

JACOB W. GUTMAN

In re: Trusts under the Will of Jacob W. Gutman, deceased, File D-28-1740; E. T. sec. 767.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Central Hanover Bank & Trust Company, 70 Broadway, New York, New York, and Sidney H. Hersch, 363 West Church Street, Elmira, New York, Trustees, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Selma Reis and her issue, Germany.

Bella Abraham and her issue, Germany.

Irene Abraham Dammann and her issue, Germany.

Robert Gutmann and his issue, Germany.

Kurt Gutmann and his issue, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Selma Reis and her issue, Bella Abraham and her issue, Irene Abraham Dammann and her issue, Robert Gutmann and his issue and Kurt Gutmann and his issue, and each of them, in and to the trusts created under the Last Will and Testament of Jacob W. Gutman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18566; Filed, November 18, 1943;
10:49 a. m.]

[Vesting Order 2562]

ANNA KILBERT

In re: Estate of Anna Kilbert, deceased; File No. D-28-2406; E. T. sec. 3169.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Joseph A. Schwendler and Frank Kilbert, Co-executors, acting under the judicial supervision of the Surrogate's Court, Erie County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Anna Simanek, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Simanek, in and to the estate of Anna Kilbert, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18567; Filed, November 18, 1943;
10:49 a. m.]

[Vesting Order 2563]

MARTIN KRIETE

In re: Estate of Martin Kriete, deceased: File D-28-4347; E. T. sec. 7492.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Minnie M. Puck-

haber, Executrix, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hanna Kriete, Germany.

Mildred Kriete, Germany.

Erene Kriete, Germany.

Willy Kriete, Germany.

Willy Kriete (Sr.), Germany.

Johanna Kriete, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and Having made all determinations and taken all action after appropriate consultation and certification required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Hanna Kriete, Mildred Kriete, Erere Kriete, Willy Kriete, Willy Kriete Sr. and Johanna Kriete, and each of them, in and to the Estate of Martin Kriete, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18568; Filed, November 18, 1943;
10:50 a. m.]

[Vesting Order 2564]

JOHN H. LAUB

In re: Estate of John H. Laub, deceased; File D-57-90; E. T. sec. 6099.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Adam Laub, 920 Russell Blvd., St. Louis, Missouri, Administrator, acting under the judicial supervision of the Probate Court of the City of St. Louis of the State of Missouri;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Jacob Laub, Rumania.

Jacob Laub, Jr., Rumania.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Rumania; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

Cash in the amount of \$660.27 in the hands of Adam Laub, Administrator of the estate of John H. Laub, payable and distributable to Jacob Laub and Jacob Laub, Jr., by order of the Probate Court of the City of St. Louis on April 12, 1943,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18569; Filed, November 18, 1943;
10:50 a. m.]

[Vesting Order 2565]

CARL F. LAUBER

In re: Trust under the will of Carl F. Lauber deceased; File F-28-12832; E. T. sec. 2967.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests herein-after described are property which is in the process of administration by the Provident Trust Company, Trustee, acting under the judicial supervision of the Orphans Court, Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national and a political subdivision of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Maria Lauber, Germany.

City of Worms on the Rhine, Germany.

And determining that—

(3) If such national and political subdivision are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as a national and political subdivision of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Maria Lauber and the City of Worms on the Rhine and each of them in and to the trust created under the will of Carl F. Lauber, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

No. 230—4

the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18570; Filed, November 18, 1943;
10:50 a. m.]

[Vesting Order 2566]

MIKE LINTZ

In re: Estate of Mike Lintz, deceased;
File D-28-3429; E. T. sec. 5459.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Howard M. Rhea, Somerville, Tennessee, Executor, acting under the judicial supervision of the County Court of Fayette County, Tennessee;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Julia Lambert, Germany.

George Karner, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Julia Lambert and George Karner, and each of them, in and to the estate of Mike Lintz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together

with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18571; Filed, November 18, 1943;
10:50 a. m.]

[Vesting Order 2567]

BARBARA WOLF MILLER

In re: Estate of Barbara Wolf Miller, also known as Barbara Miller, deceased;
File D-28-7496; E. T. sec. 7829.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Frank Shoemaker, Executor, acting under the judicial supervision of the Orphans Court, Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Fanny Wohrle, Germany.

Emilie Diller, Germany.

Eva Buhler, Germany.

Barbara Schwarz, Germany.

Philip Kubler, Germany.

Mathias Wolf, Germany.

Child or children of Mathias Wolf, names unknown, Germany.

Margaret Ries, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Fanny Wohrle, Emilie Diller, Eva Buhler, Barbara Schwarz, Philip Kubler, Mathias Wolf, Child or Children of Mathias Wolf, names unknown and Margaret Ries, and each of them, in and to the estate of Barbara Wolf Miller, also known as Barbara Miller, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an

appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 10, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-18572; Filed, November 18, 1943;
10:50 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

DISTRIBUTORS OF CARBONATED BEVERAGES IN WEST VIRGINIA

RECOMMENDATION OF JOINT ACTION PLAN

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials, and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 8377, 10910), the carbonated beverage bottlers and distributors of West Virginia named in Appendix 1 hereof have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of carbonated beverages in West Virginia.¹

The participants in the plan in each of eight areas of West Virginia described in Appendix 1 hereof will limit distribution of carbonated beverages to two deliveries a week to any outlet in their own respective metropolitan areas, and to one delivery a week to any outlet outside such areas.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law 603, 77th Congress (56 Stat. 357),

¹ Filed as part of original document.

that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 9th day of October 1943.

JOSEPH B. EASTMAN,
Director.

Office of Defense Transportation.

APPENDIX 1

PARTICIPANTS IN THE PLAN IN WEST VIRGINIA AREAS

First Area—Huntington

Including Mason, Cabell, Wayne, Lincoln, Logan, and Mingo Counties.

Participant and Location

1. Huntington Coca-Cola Bottling Company, Huntington.
2. Royal Crown Bottling Company, Huntington.
3. 7-Up Bottling Company, Huntington.
4. Pepsi-Cola Distributing Company, Huntington.
5. Logan Beverage Company, Logan.
6. Logan Coca-Cola Bottling Company, Logan.
7. Dr. Pepper Bottling Company, Logan.
8. Pepsi-Cola Bottling Company, Logan.
9. Sun Up Bottling Company, Kenova.
10. Mingo Bottling Company, Williamson.
11. Sanitary Nehi Bottling Company, Williamson.
12. Williamson Coca-Cola Bottling Company, Williamson.

Second Area—Bluefield

Including McDowell, Mercer, and Wyoming Counties.

Participant and Location

1. Northfork Coca-Cola Bottling Company, Bluefield.
2. Northfork Coca-Cola Bottling Company, Welch.
3. Pepsi-Cola Bottling Company, Princeton.
4. 7-Up Bottling Company, Welch.

Third Area—Beckley

Including Fayette, Raleigh, Summers, Greenbrier, and Monroe Counties.

Participant and Location

1. Nehi Bottling Company, E. Rainelle.
2. Raleigh Coca-Cola Bottling Works, Beckley.
3. Nehi Bottling Company, Beckley.
4. Dr. Pepper Bottling Company, Beckley.
5. Coca-Cola Bottling Company, Ronceverte.
6. Coca-Cola Bottling Company, Hinton.

Fourth Area—Charleston

Including Putnam, Clay, Kanawha, Boone, Braxton, and Nicholas Counties.

Participant and Location

1. Coca-Cola Bottling Works, Charleston.
2. Dr. Pepper Bottling Company, Charleston.
3. Nehi Bottling Company, Charleston.
4. Big Boy Bottling Company, Charleston.
5. Hatcher Beverage Company, Charleston.
6. Pepsi-Cola Bottling Company, Charleston.
7. Fayette Bottling & Ice Company, Montgomery.

Fifth Area—Elkins

Including Randolph, Tucker, Webster, Pocahontas, and Barbour Counties.

Participant and Location

1. Coca-Cola Bottling Company, Richwood.
2. Nehi Bottling Company, Richwood.
3. Pepsi-Cola Bottling Company, Petersburg.
4. Coca-Cola Bottling Company, Marlinton.
5. Nehi Bottling Company, Thomas.

6. Haller Beverage Company, Philippi.
7. Nehi Bottling Company, Elkins.
8. Coca-Cola Bottling Company, Elkins.
9. Kramer Bottling Works, Elkins.

Sixth Area—Clarksburg

Including Monongalia, Marion, Harrison, Doddridge, Preston, Lewis, Upshur, and Taylor Counties.

Participant and Location

1. Weston Coca-Cola Bottling Works, Weston.
2. Coca-Cola Bottling Works, Buckhannon.
3. Fairmont Coca-Cola Bottling Works, Fairmont.
4. Nehi Bottling Company, Fairmont.
5. Coca-Cola Bottling Company, Morgantown.
6. Nehi Bottling Company, Morgantown.
7. Clarksburg Coca-Cola Bottling Works, Clarksburg.
8. Nehi Bottling Company, Clarksburg.
9. Dr. Pepper Bottling Company, Clarksburg.
10. A. F. Wagner, Inc., Clarksburg.
11. Vaughan Beverage Corporation, Farmington.

Seventh Area—Wheeling

Including Hancock, Brooke, Ohio, Marshall, and Wetzel Counties.

Participant and Location

1. Coca-Cola Bottling Company, Wheeling.
2. Royal Crown Bottling Company, Wheeling.
3. Stratford Springs Corporation, Wheeling.
4. Dr. Pepper Bottling Company, Wheeling.
5. Vaughan Beverage Company, Wheeling.
6. Hartman Bottling Works, Wheeling.
7. Squirt Beverage Company, Wheeling.
8. Pepsi-Cola Bottling Company, Wheeling.

Eighth Area—Parkersburg

Including Tyler, Pleasants, Wood, Jackson, Ritchie, Calhoun, Gilmer, Wirt, and Roane Counties.

Participant and Location

1. Parkersburg Coca-Cola Bottling Company, Parkersburg.
2. Pepsi-Cola Bottling Company, Parkersburg.
3. Royal Crown Bottling Company, Parkersburg.
4. Dr. Pepper Bottling Company, Parkersburg.
5. Coca-Cola Bottling Works, Sistersville.
6. Cleo Cola Bottling Company, Parkersburg.
7. Pennsboro Coca-Cola Bottling Works, Pennsboro.
8. Ravenswood Coca-Cola Bottling Company, Ravenswood.
9. Spencer Coca-Cola Bottling Company, Spencer.

[F. R. Doc. 43-18525; Filed, November 17, 1943;
12:02 p. m.]

[ODT 20A, Supp. Order 41]

TAXICAB OPERATORS

COORDINATED OPERATIONS IN ASHEVILLE AREA, N. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20 A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Asheville, North Carolina, so as to assure maximum utilization of their facilities,

services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Asheville, North Carolina, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-41" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Asheville, North Carolina.

8. This order shall become effective November 30, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of November 1943.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

APPENDIX 1

Mountain Transportation Co., Asheville, North Carolina.

138 Taxi, Asheville, North Carolina.

Boyd Taxi, Asheville, North Carolina.

Alley Taxi, Asheville, North Carolina.

[F. R. Doc. 43-18550; Filed, November 18, 1943; 9:50 a. m.]

[ODT 20A, Supp. Order 42]

TAXICAB OPERATORS

COORDINATED OPERATIONS IN ASHEVILLE AREA, N. C.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20 A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Asheville, North Carolina, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed

¹ Filed as part of the original document.

by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Asheville, North Carolina, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-42" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Asheville, North Carolina.

8. This order shall become effective November 30, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 18th day of November 1943.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

APPENDIX 1

Breeland Taxi, Asheville, North Carolina.

Your Cab, Asheville, North Carolina.

970 Cab, Asheville, North Carolina.

Cliff Bowers, Asheville, North Carolina.

[F. R. Doc. 43-18551; Filed, November 18, 1943; 9:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region II Order G-17 under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE COAL IN MERCER CO., N. J.

Amendment No. 1 to Order No. G-17 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in

Mercer County, State of New Jersey, Coal Area VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, and paragraph (m) of Order No. G-17, it is hereby ordered that paragraph (f) be amended to read as set forth below:

(f) *Schedule III; Sales of bagged coal.* Schedule III establishes maximum prices for sales to dealers and to consumers of certain sizes of anthracite in 50 lb., 25 lb., and 12 lb. paper bags.

Maximum price per 50 lb. paper bag

Size	Delivered at dealer's yard		Delivered to retail stores	Sales to ultimate consumer
	To dealers	To consumers		
Nut.....	.35	.40	.40	.45
Pea.....	.30	.35	.35	.40

Maximum price per 25 lb. paper bag

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	.18	.20	.25

Maximum price per 12 lb. paper bag

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	.09	.10	.12

This amendment to Order No. G-17 shall become effective November 15, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 9th day of November 1943.

JOHN R. JOHNSTON,
Acting Regional Administrator.

[F. R. Doc. 43-18531; Filed, November 17, 1943;
11:50 a. m.]

[Region VI Order 96 Under 18 (c)]

FIREWOOD IN UPPER WISCONSIN

Order No. G-96 under § 1499.18 (c) of the General Maximum Price Regulation. Firewood prices in upper Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered:

(a) *What this order does.* This order establishes dollars and cents maximum prices for the sale of firewood in the counties of Wisconsin listed in section (f). Schedule A is a table of basic ceiling prices for sales in less than rail carload lots by mills or dealers who obtain their supply locally. Dealers

having to pay inbound rail freight may add the proper proportion of carload freight costs to their basic price. The proportion is figured by means of Schedule B. In no event may such a dealer's price exceed the ceiling prices set forth in Schedule C. The prices provided are for deliveries within a seller's free delivery zone. Where delivery to the customer is made in other ways, the amount of delivery allowances or deductions is set forth in section (b) (3). A method for pricing specialty firewoods is contained in paragraph (d). No person may sell firewood at prices higher than the ceiling prices contained in this order.

(b) *Ceiling prices to consumers in LCL lots.* The ceiling prices for sales of firewood delivered in less than carload lots, such as by truck, within seller's free delivery zone to persons other than dealers shall be as follows:

1. *Where no inbound freight is involved.* The maximum price for any sawmill, wood working plant, or other producer or any dealer with a local source of supply or any other seller who has paid no freight charges from his source of supply to his customary receiving point shall be the prices set forth below, plus delivery allowances, if any, in an amount not to exceed those provided in paragraphs (b) (3).

SCHEDULE A—TABLE OF BASIC PRICES

	Hard wood			Mixed wood			Soft wood		
	Body or block wood	Bundled edgings	Slab wood	Body or block wood	Bundled edgings	Slab wood	Body or block wood	Bundled edgings	Slab wood
Standard cord of 48" or 8' lengths.....	\$10.50	\$8.80	\$8.00	\$8.20	\$6.90	\$6.25	\$6.55	\$5.50	\$5.00
Single cord of 24" lengths.....	6.00	5.05	4.60	4.75	3.95	3.60	3.80	3.20	2.90
Single cord of 16" lengths.....	4.50	3.75	3.40	3.45	2.95	2.65	2.80	2.35	2.10
Single cord of 12" lengths.....	3.60	3.05	2.75	2.85	2.36	2.15	2.25	1.90	1.75

2. *Where inbound freight is involved.* A dealer who buys firewood shipped in by truck or rail from a point beyond his supplier's free delivery zone may add to the prices set forth in Schedule A, above, the amount of the carload freight from his supplier to his customary receiving point multiplied by the appropriate figure from the following table.

SCHEDULE B—INBOUND FREIGHT CONVERSION TABLE

Type of sale by dealer:	Multiplier
Standard cord of 48" or 8' lengths.....	.067
Single cord of 24" lengths.....	.033
Single cord of 16" lengths.....	.022
Single cord of 12" lengths.....	.016

Provided, however, That in no event may the price exceed the amounts set forth in the following Schedule C.

SCHEDULE C—TABLE OF OVERRIDING MAXIMUM PRICES FOR DEALERS PAYING INBOUND FREIGHT

	Hard wood			Mixed wood			Soft wood		
	Body or block wood	Bundled edgings	Slab wood	Body or block wood	Bundled edgings	Slab wood	Body or block wood	Bundled edgings	Slab wood
Standard cord of 48" or 8' lengths.....	\$13.30	\$10.95	\$10.15	\$10.60	\$8.75	\$8.10	\$8.70	\$7.15	\$6.65
Single cord of 24" lengths.....	7.60	6.25	5.80	6.15	5.00	4.65	5.05	4.10	3.80
Single cord of 16" lengths.....	5.70	4.60	4.25	4.45	3.75	3.45	3.80	3.00	2.75
Single cord of 12" lengths.....	4.55	3.70	3.40	3.70	3.01	2.80	3.00	2.40	2.25

3. *Delivery allowances and deductions.* The ceiling prices set forth above are for free deliveries within seller's free delivery zone. A seller's free delivery zone is the corporate limits of the city or village, if any, in which the seller is located or a radius of one mile from the seller's place of business. Sales in any other manner shall be treated as follows:

(i) Where firewood is picked up by the buyer at seller's place of business the ceiling price shall be the price set forth in paragraphs (b) (1) and (b) (2) above multiplied by .90.

(ii) For deliveries beyond the seller's free delivery zone, if delivery is made by seller's own truck, a seller may add delivery charges as follows:

Distance beyond free delivery zone:	Allowance per load
Not over 5 miles.....	\$0.75
Over 5 miles but not over 10 miles.....	1.50
Over 10 miles but not over 15 miles.....	2.00
Over 15 miles but not over 20 miles.....	2.25
Over 20 miles.....	(1)

(1) An amount not in excess of the lowest lawful prevailing common or contract carrier rate.

(iii) If delivery is made by common or contract carrier a seller may add the actual amount paid such carrier but in no event an amount exceeding the lawful maximum rate for such delivery.

(c) *Ceiling prices in rail carload lots and to dealers.* 1. The ceiling prices for the sale of firewood in rail carload lots and for all sales to dealers, whether in carload lots or not, f. o. b. producer's plant or nearest railroad siding, shall be the ceiling prices contained in the table of basic maximum prices found in section (b) (1) of this order multiplied by .85.

2. When a producer sells firewood all of the same size and type by the carload he may weigh one cord of the wood sold and determine the total number of such cords in the carload by dividing the net weight of the carload by the weight of such "test" cord.

(d) *Ceiling prices of specialty firewoods.* The maximum price for specialty firewoods shall be a price in line with the prices provided in this order, but in no event higher than the prices arrived at by the following procedure:

(1) The seller shall first take the maximum price established by him under the General Maximum Price Regulation for the longest length of slab wood of the same type of wood as the specialty firewood to be priced, that is, hard wood, mixed wood or soft wood.

(2) The seller shall next find the maximum price established by this order for slab wood of the same type and lengths as that selected pursuant to subparagraph (1).

(3) The seller shall next divide the price determined in accordance with subparagraph (2) by the price determined in accordance with subparagraph (1).

(4) The seller shall finally use the number obtained as provided in subparagraph (3) to multiply the maximum price established by him under the General Maximum Price Regulation for the specific specialty firewood item to be priced. The result shall be the maximum price for such specialty firewood item under this order.

(e) *Definitions as used in this order.*

(1) "Firewood" means body or block wood, slab wood or bundled edgings used as stove or furnace fuel cut in lengths of approximately 48", 24", 16", or 12". "Firewood" shall also include such wood when cut in approximately 8' lengths when sold for use ultimately as fuel.

(2) "Body or block wood" means those types of wood commonly referred to as body, block or chunk wood. "Body or block wood" is distinguished from "slab wood" or "edgings" in that a piece of such wood includes a larger portion of the original piece of wood from which it is cut than does a piece of "slab wood" or "edgings" of equal lengths.

(3) "Slab wood" means wood cut from the sides of a log or bolt.

(4) "Bundled edgings" means wood cut from the side of a piece of lumber and tied into bundles in accordance with accepted trade practices.

(5) "Hard wood" means firewood, at least 90% of which is produced from the botanical species of brown ash (*Fraxinus nigra*), beech (*Fagus americana*), rock elm (*Ulmus thomasi*), hard maple (*Acer saccharum*), and the commercial species of the genera birch (*Betula*), soft elm (*Ulmus*), soft maple (*Acer*), oak (*Quercus*), and all other hardwood species except aspen (*Populus tremuloides* Michx.) and basswood (*Tilia*).

(6) "Mixed wood" means firewood, at least 40% of which is produced from the botanical species of brown ash (*Fraxinus nigra*), beech (*Fagus americana*), rock elm (*Ulmus thomasi*), hard maple (*Acer saccharum*), and the commercial species of the genera birch (*Betula*), soft elm (*Ulmus*), soft maple (*Acer*), oak (*Quercus*), and all other hardwood species except aspen (*Populus tremuloides* Michx.) and basswood (*Tilia*).

(7) "Soft wood" means any firewood which does not qualify as hard wood or mixed wood.

(8) A "producer" means a person who produces firewood:

(a) By removing it from the forest or woodlot, or

(b) As a result of the operation of a sawmill, veneer mill, or any other type of wood working plant.

(9) A "dealer" means a seller of firewood who produces no firewood but acquires firewood from producers or from other dealers. Cutting firewood into smaller lengths than the lengths in which it was acquired or purchased shall not be considered to be producing firewood.

(10) A "standard cord of 48" or 8' lengths" means a pile of firewood of approximately 4' lengths piled 4' high and 8' wide or a pile of firewood of approximately 8' lengths piled 4' high and 4' wide.

(11) A "single cord of 24" lengths" means a pile of firewood of approximately 24" lengths piled 4' high and 8' wide.

(12) A "single cord of 16" lengths" means a pile of firewood of approximately 16" lengths piled 4' high and 8' wide.

(13) A "single cord of 12" lengths" means a pile of firewood of approximately 12" lengths piled 4' high and 8' wide.

(f) *Geographical applicability.* This order shall apply to all sales by any persons whose places of business are located within the following counties, all within the State of Wisconsin:

Adams, Barron, Brown, Buffalo, Calumet, Chippewa, Clark, Door, Dunn, Eau Claire, Florence, Forest, Green Lake, Jackson, Juneau, Kewaunee, La Crosse, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Monroe, Marquette, Oconto, Oneida, Outagamie, Pepin, Portage, Price, Rusk, Shawano, Taylor, Trempealeau, Vilas, Waupaca, Waushara, Winnebago and Wood.

(g) *Effect on other orders.* This order supersedes and revokes Order No. G-38 under § 1499.18 (c) of the General Maximum Price Regulation (formerly known as Regional Order No. 47) insofar as the latter applies to the counties covered by this order.

(h) *Revocability.* This order may be amended, modified or revoked at any time.

(i) *Effective date.* This order shall become effective October 22, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 P.R. 7871)

Issued this 15th day of October 1943.

RAYMOND S. MCKEOUGH,
Regional Administrator.

[F. R. Doc. 43-18529; Filed, November 17, 1943; 11:49 a. m.]

[Region VI Order G-96 Under 18 (c),
Amdt. 1]

FIREWOOD IN UPPER WISCONSIN

Amendment No. 1 to Order No. G-96 under § 1499.18 (c) of the General Maximum Price Regulation. Firewood prices in upper Wisconsin.

SCHEDULE C—TABLE OF OVERRIDING MAXIMUM PRICES FOR DEALERS PAYING INBOUND FREIGHT

	Hard wood			Mixed wood			Soft wood		
	Body or block wood	Bundled edgings	Slab wood	Body or block wood	Bundled edgings	Slab wood	Body or block wood	Bundled edgings	Slab wood
Standard cord of 48" or 8' lengths...	\$13.30	\$10.95	\$10.15	\$10.60	\$8.75	\$8.10	\$8.70	\$7.15	\$6.65
Single cord of 24" lengths.....	7.60	6.25	5.80	6.15	5.00	4.65	5.05	4.10	3.80
Single cord of 16" lengths.....	5.70	4.60	4.25	4.45	3.75	3.45	3.80	3.00	2.75
Single cord of 12" lengths.....	4.55	3.70	3.40	3.70	3.01	2.80	3.00	2.40	2.25

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, it is hereby ordered that paragraph (b) (2) and paragraph (c) be amended to read as set forth below:

(b) *Ceiling prices to consumers in LCL lots.* The ceiling prices for sales of firewood delivered in less than carload lots, such as by truck, within seller's free delivery zone to persons other than dealers shall be as follows:

2. *Where inbound freight is involved—(i) Rail freight charges.* A dealer who buys firewood shipped in by rail from a point beyond his supplier's free delivery zone may add to the prices set forth in Schedule A above, the amount of the carload freight charge from his supplier's plant to his customary receiving point multiplied by the appropriate figure from the following Schedule B, but in no event may his total maximum price, exclusive of outbound delivery allowances, exceed the prices set forth in Schedule C contained in paragraph (b) (2) (iii).

SCHEDULE B—INBOUND CARLOAD FREIGHT
CONVERSION TABLE

Type of sale by dealer:	Multiplier
Standard Cord of 48" or 8' Lengths.....	.067
Single Cord of 24" Lengths.....	.033
Single Cord of 16" Lengths.....	.022
Single Cord of 12" Lengths.....	.016

(ii) *Other than rail freight charges.* A dealer who buys firewood shipped in by wagon or truck from a point beyond his supplier's free delivery zone may add to the prices set forth in Schedule A above, an amount not to exceed the actual amount paid to a common or contract carrier for the transportation of wood from the producer's plant or wood lot, or the amount charged by the producer for delivery, but in no event more than the amounts contained in the following Schedule B-1:

SCHEDULE B-1—INBOUND TRUCK FREIGHT
ADDITIONS

Type of sale by dealer:	Per cord
Standard cord of 48" or 8' lengths.....	\$2.00
Single cord of 24" lengths.....	1.00
Single cord of 16" lengths.....	.70
Single cord of 12" lengths.....	.50

In no event may the total price, exclusive of outbound delivery allowances and deductions, exceed the amount contained in Schedule C in paragraph (b) (2) (iii).

(iii) *In no event may the price for any sales to consumers within seller's free delivery zone exceed the following prices:*

(c) *Ceiling prices in rail carload lots and to dealers.* 1. The ceiling prices for the sale of firewood in rail carload lots f. o. b. producer's plant or nearest railroad siding, and for all sales to dealers, whether in carload lots or not, delivered within the producer's free delivery zone, shall be the ceiling prices contained in Schedule A, "Table of Basic Prices" (found in section (b) (1) of this order as amended) multiplied by .85. A producer's free delivery zone means the area within the corporate limits of the city or village, if any, in which the seller's place of business or wood lot is located, or a radius of one mile from the seller's place of business or wood lot.

2. When a producer sells firewood all of the same size and type by the rail carload, he may weigh one cord of the wood sold and determine the total number of such cords in the carload by dividing the net weight of the carload by the weight of such "test" cord.

3. When a producer sells firewood delivered to a point beyond his free delivery zone, he may add the transportation charges set forth below, which must be separately stated on any invoice or statement furnished to any buyer:

(i) If transportation is furnished by common or contract carrier, the actual charge made by such common or contract carrier for transportation.

(ii) If transportation is furnished by seller, an amount not to exceed charges contained in Schedule B-1 in paragraph (b) (2) (ii) of this order as amended.

This amendment to Order G-96 under § 1499.18 (c) of the General Maximum Price Regulation shall become effective October 27, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of October 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 43-18530; Filed, November 17, 1943; 11:50 a. m.]

[Region VII Order G-2 Under MPR 154, Rev.]

ICE IN RIVERTON, WYO.

Revocation of Order No. G-2 under Maximum Price Regulation No. 154. Establishment of specific maximum prices for ice dealers in Riverton, Wyoming.

Pursuant to the Emergency Price Control Act of 1942, as Amended, § 1393.8 (e) of Maximum Price Regulation No. 154, the reservation contained in paragraph (f) of Amendment No. 1 to Order No. G-2 under Maximum Price Regulation No. 154, and for the reasons set forth in the accompanying opinion, this order or revocation is issued.

Order No. G-2 under Maximum Price Regulation No. 154 and Amendment No. 1 thereto are hereby revoked, subject to the provisions of Supplementary Order No. 40.

This revocation shall be effective as of November 15, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of November 1943.

R. BATTERTON,
Acting Regional Administrator.

[F. R. Doc. 43-18528; Filed, November 17, 1943; 11:49 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under General Order 51 were filed with the Division of the Federal Register on November 16, 1943.

REGION I

Connecticut: Order No. 4, Amendment No. 2, filed 12:46 p. m.

Massachusetts: Order No. 7, Amendment No. 3, filed 12:45 p. m.; Order No. 8, Amendment No. 3, filed 12:44 p. m.; Order No. 9, Amendment No. 3, filed 12:45 p. m.; Order No. 10, Amendment No. 3, filed 12:46 p. m.; Providence: Order No. 5, Amendment No. 2, filed 12:46 p. m.

REGION III

Indianapolis: Order No. 1-F, Amendment No. 7, filed 4:21 p. m.

Louisville: Order No. 1-F, Amendment No. 4, filed 4:21 p. m.

Toledo: Order No. 4, Amendment No. 3, filed 12:45 p. m.

REGION IV

Atlanta: Order No. 10, Amendment No. 3, filed 12:45 p. m.; Order No. 11, Amendment No. 2, filed 12:37 p. m.

Charlotte: Order No. 11, filed 12:51 p. m. Memphis: Order No. 4-F, Amendment No. 6, filed 12:52 p. m.; Order No. 4-F, Amendment No. 7, filed 12:52 p. m.; Order No. 13, filed 12:46 p. m.

Montgomery: Order No. 11, Amendment No. 2, filed 12:47 p. m.; Order No. 12, Amendment No. 7, filed 12:47 p. m.

Richmond: Order No. 9, Amendment No. 1, filed 12:48 p. m.

Savannah: Order No. 1-F, Amendment No. 9, filed 4:22 p. m.; Order No. 2-F, Amendment No. 4, filed 4:21 p. m.; Order No. 3-F, Amendment No. 2, filed 4:21 p. m.; Order No. 4-F, Amendment No. 1, filed 4:21 p. m.

South Carolina: Order No. 9, filed 12:43 p. m.; Order No. 10, filed 12:43 p. m.

REGION V

Houston: Order No. 7, Amendment No. 3, filed 12:49 p. m.; Order No. 8, Amendment No. 3, filed 12:49 p. m.; Order No. 9, Amendment No. 3, filed 12:49 p. m.

Wichita: Order No. G-6, Amendment No. 3, filed 12:41 p. m.; Order No. G-7, Amendment No. 2, filed 12:41 p. m.; Order No. G-8, Amendment No. 1, filed 12:51 p. m.; Order No. G-9, Amendment No. 1, filed 12:50 p. m.

REGION VI

Duluth-Superior: Order No. 8, Amendment No. 2, filed 12:41 p. m.

Omaha: Order No. 5A, Amendment No. 1, filed 12:47 p. m.

REGION VIII

Seattle: Order No. 20, Amendment No. 1, filed 12:48 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Head, Editorial and Reference Section.

[F. R. Doc. 43-18546; Filed, November 17, 1943; 4:23 p. m.]

[Dallas Order 1 Under Restaurant MPR 5-4, Amdt. 1]

MALT BEVERAGES IN DALLAS REGION, TEXAS

Amendment No. 1 to Order No. 1 under Restaurant Maximum Price Regulation No. 5-4. Maximum prices for malt beverages.

An opinion involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 3 (a) of Order No. 1 under Restaurant Maximum Price Regulation No. 5-4 is amended to read as follows:

SEC. 3. *Your ceiling prices.* Your ceiling prices for malt beverages are set forth below.

(a) Brand or trade name	Maximum prices per bottle			
	6 oz.	12 oz.	24 oz.	32 oz.
	Cents	Cents	Cents	Cents
Carta Blanca	25			
Pabst Ale	20			
Red Top Ale	18			39
Bohemian (Splits) Ale	17			
Budweiser	18			39
Blatz Pilsener	18			39
Muehlebach Pilsener	18			39
Pabst Blue Ribbon	18			39
Pilsener Club	18	33		39
Schlitz	18			39
Country Club	18			39
Miller's High Life	18			39
Barbarossa	18			39
Pearless Amber	18			39
Silver Fox	18			39
Downs	18			39
Canadian Ace	18			39
Blue Bonnet	13			29
Falstaff	13			29
Grand Prize	13			29
Jax	13			29
Lone Star	13			29
Mellow Brew	13	23		29
Pearl	13			29
Stern Brand	13			29
Pom Roy	13			29
Southern Select	13			29
Topaz	13			29
White Seal	13			29
Victory	13			29
Pioneer	13			29
Polo	13			29

This amendment shall become effective October 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 18th day of October, 1943.

GUS W. THOMASSON,
District Director.

[F. R. Doc. 43-18547; Filed, November 17, 1943; 4:33 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 60-20]

GENERAL GAS & ELECTRIC CORPORATION

ORDER WITHDRAWING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 17th day of November, A. D. 1943.

A proceeding having been instituted pursuant to Rule U-100 (b) promulgated

under the Public Utility Holding Company Act of 1935, to determine whether or not the Commission should withdraw the exemption contained in paragraph (b) (2) of Rule U-44 with respect to any unexecuted sale by General Gas & Electric Corporation of any security which it owns of Tide Water Power Company;

A hearing having been held after appropriate notice, the Commission being duly advised and having this day entered its findings and opinion herein;

On the basis of said findings and opinion, and pursuant to Rule U-100 (b), *It is hereby ordered*, That the aforesaid exemption, as applied to any unexecuted sale by General Gas & Electric Corporation of any security which it owns of Tide Water Power Company, be and it hereby is withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-18586; Filed, November 18, 1943;
11:00 a. m.]

[File No. 30-206]

STANDARD OIL CO. (NEW JERSEY)

ORDER EXTENDING TIME OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 12th day of November 1943.

Standard Oil Company (New Jersey) having filed, on August 12, 1943, a notification of registration as a holding company; and having thereafter filed an application, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, for approval of a plan for the divestment of its interest in all the voting stocks of four gas utility subsidiaries and one natural gas pipe line subsidiary, which plan was approved by the Commission on October 11, 1943; and

Standard Oil Company (New Jersey) having advised the Commission that it anticipates that performance by Standard Oil Company (New Jersey) of all, or substantially all, of the provisions of the plan will be completed prior to the end of 1943, and by reason thereof having requested an extension for a period of 90 days of the time, expiring November 12, 1943, within which Standard Oil Company (New Jersey) would be required by the Commission's Rule U-1 to file a registration statement on Form U5B; and

It appearing to the Commission under the circumstances that an extension of time is reasonable and not detrimental to the public interest or the interests of investors or consumers:

It is hereby ordered, That the time within which Standard Oil Company (New Jersey) is required to file its registration statement on Form U5B, pursuant to Rule U-1 (b), be, and the same hereby is, extended until February 1, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-18582; Filed, November 18, 1943;
11:00 a. m.]

[File No. 68-27]

NEW ENGLAND PUBLIC SERVICE CO.

ORDER REOPENING RECORD, RECONVENING HEARING, AND DESIGNATING NEW TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of November 1943.

In the matter of Lester Martin, Floyd Jefferson, William S. Spatcher and Howard H. Hubbard, as protective committee for holders of preferred stock of New England Public Service Company.

The Commission having on July 3, 1943 ordered a hearing to be held on July 20, 1943 in the above-entitled matter, and a hearing having been held pursuant to said order and the record having been closed on July 20, 1943; and

Counsel for Public Utilities Division having requested that the record in this matter be reopened and that the hearing be reconvened for the purpose of adducing additional evidence and counsel for declarants having concurred in such request; and

It appearing to the Commission that it is appropriate to grant such request; and

It further appearing to the Commission that the Trial Examiner heretofore designated to preside at the hearing in this proceeding will be unable to do so;

It is hereby ordered, That the record in this matter be reopened and that the hearing therein be reconvened on November 19, 1943 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in the room to be designated on said day by the hearing room clerk in Room 318.

It is further ordered, That Henry C. Lank, an officer of the Commission, be, and he hereby is, designated to preside at such hearing in the place and stead of, and with the same powers and duties as the trial examiner heretofore designated to preside at such hearing.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-18583; Filed, November 18, 1943;
11:00 a. m.]

[File No. 70-785]

AMERICAN & FOREIGN POWER CO. INC. AND ELECTRIC BOND AND SHARE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of November, A. D. 1943.

Notice is hereby given that a declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935, by American & Foreign Power Company Inc. ("Foreign Power"), a registered holding company and a subsidiary of Electric Bond and Share Company ("Bond and Share"), which is likewise a registered holding company, and that a joint Amendment No. 1 thereto has been filed under the Act, and particularly sections 6 (a), 7, 9 (a) (1), 10 12 (b), 12 (c) and 12 (d) thereof and Rules U-23, U-42, U-44 and U-45 thereunder, by Foreign Power and Bond and Share.

All interested persons are referred to said documents which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

(a) Foreign Power proposes to pay to Bond and Share \$5,000,000 in cash and to issue to Bond and Share 3% notes in cancellation and redemption of the 7% note of Foreign Power dated February 14, 1935 due November 15, 1938, in the principal amount of \$35,000,000, held by Bond and Share which note currently bears interest at 6%. The 3% notes will be issued in the following principal amounts and mature in 1, 2, 3, 4 and 5 years respectively, from the closing date: first year, \$3,000,000; second year, \$3,000,000; third year, \$3,000,000; fourth year, \$3,000,000; and fifth year, \$18,000,000. No fees, commissions or other remunerations are to be paid directly or indirectly in connection with the issuance and exchange of the note.

(b) Bond and Share proposes to sell from time to time the following bonds of indirect subsidiary companies:

	Principal amount owned
Arkansas Power & Light Company—First and Refunding Mortgage Gold Bonds, 5% Series.....	\$833,500
Florida Power & Light Company—First Mortgage Gold Bonds, 5% Series.....	417,000
Houston Gas Securities Company—5% Collateral Trust Gold Bonds.....	440,000
Louisiana Power & Light Company—First Mortgage Gold Bonds, 5% Series.....	377,000
Minnesota Power & Light Company—First and Refunding Mortgage Gold Bonds, 5% Series.....	90,000
Minnesota Power & Light Company—First and Refunding Mortgage Gold Bonds, 4½% Series.....	161,000
Mississippi Power & Light Company—First Mortgage Gold Bonds, 5% Series.....	431,000
New Orleans Public Service, Inc.—First and Refunding Mortgage Gold Bonds, Series A, 5%.....	397,000
New Orleans Public Service, Inc.—First and Refunding Mortgage Gold Bonds, Series B, 5%.....	503,000
Pacific Power & Light Company—First Mortgage and Prior Lien Gold Bonds, 5% Series.....	285,000
Texas Electric Service Company—First Mortgage Gold Bonds, 5% Series.....	254,000
Utah Power & Light Company—Thirty-Year 5% Gold Bonds.....	300,000
Total	4,488,500

(c) Bond and Share further proposes to acquire a portion of its \$5 and \$6 preferred stocks by purchases in the open market with the proceeds of the sale of such bonds together with the \$5,000,000 in cash proposed to be paid to it by Foreign Power.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors that a hearing be held in respect to said proposed transactions and that the declarations and application in respect thereto respectively should not be permitted to become effective or be granted except pursuant to further order of the Commission:

It is ordered, That a hearing on the present declarations and application as amended (File No. 70-785) under the applicable provisions of said Act and Rules of the Commission thereunder be held on November 29, 1943 at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk, in Room 318, will advise as to the room where such hearing will be held. At such hearing cause shall be shown why said declarations shall be permitted to become effective and said application be granted.

It is further ordered, That notice be given of said hearing to American & Foreign Power Company Inc. and to Electric Bond and Share Company by registered mail and to all other interested persons by publication in the FEDERAL REGISTER.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matters. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That any person desiring to be heard in connection with these proceedings or proposing to intervene thereon therein, shall file with the Secretary of the Commission, on or before November 26, 1943 his request or application therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That without limiting the scope of the issues otherwise to be considered in these proceedings, particular attention will be directed at the hearing to the following questions and matters:

1. Whether the issue by Foreign Power of said notes in the aggregate principal amount of \$30,000,000 as proposed would be reasonably adapted to the security structure of Foreign Power and other companies in its system and to its earning power and would be appropriate or necessary to the economical and efficient operation of its business; and whether the terms and conditions of issue of said notes are detrimental to the public interest or the interest of investors.

2. Whether the transactions proposed by Foreign Power conform to other ap-

plicable provisions of the Act and whether the issuance of the proposed notes to Bond and Share and the cash payment to it would tend to circumvent any provisions of the Act, or any rules, regulations or orders thereunder.

3. Whether the issuance of the proposed notes to Bond and Share and the proposed cash payment to it would be consistent with the appropriate consideration and determination of the issues raised by the Commission with respect to Foreign Power and Bond and Share in its notice of and order reconvening hearing pursuant to section 11 (b) (2) of the Act (File No. 59-12, Holding Company Act Release No. 4305).

4. Whether the proposed sales of bonds of indirect subsidiary companies by Bond and Share would be detrimental to the public interest or the interests of investors and consumers, and whether such sales would be in conformity with the standards of section 12 (d) of the Act, and the applicable rules and regulations promulgated thereunder.

5. Whether the proposed acquisition of shares of its preferred stocks by Bond and Share, and the method proposed therefor, is appropriate and in the public interest and in the interest of investors, and in conformity with the standards of section 12 (c) of the Act.

6. Whether the fees and expenses to be incurred by Foreign Power and Bond and Share in connection with the proposed transaction are reasonable under the circumstances.

7. Whether in connection with the transactions proposed it is necessary or appropriate to impose any terms or conditions in the public interest or for the protection of investors or consumers, and particularly whether any terms or conditions should be imposed in order to ensure that the authorization or consummation of the proposed transactions, if authorized by the Commission, will not prevent appropriate consideration and determination of the matter referred to in paragraph 3 above.

It is further ordered, That jurisdiction be, and it hereby is, reserved, to consolidate with these proceedings other filings or matters pertaining to Foreign Power and Bond and Share or either of them, including the aforesaid proceedings designated File No. 59-12, or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved herein.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-18584; Filed, November 18, 1943;
11:00 a. m.]

[File No. 56-85]

CENTRAL U. S. UTILITIES CO.

SUPPLEMENTAL ORDER APPROVING AMENDMENT AND APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 16th day of November 1943.

Supplemental Order approving post-effective amendment to application under Rule U-12D-1 and approving application as so amended.

Central U. S. Utilities Company, then a registered holding company, having filed an amended application, pursuant to Rule U-12B-1, concerning the sale by its subsidiary, Indiana Gas Utilities Company, of all the right, title and interest in and to the physical properties, franchises and assets of said subsidiary; and the Commission having approved said amended application by order dated January 13, 1941, insofar as the sale of the Richmond Division of said subsidiary to Richmond Gas Corporation was concerned; and

The Commission having, by order dated March 18, 1941, approved the sale of the remainder of the physical properties, franchises and assets, constituting the Terre Haute Division of Indiana Gas Utilities Company, to Terre Haute Gas Corporation, a nonaffiliate, for a base price of \$1,250,000, said order being made subject, however, to certain conditions, including the following condition:

3. That this order shall immediately terminate without further order of this Commission if the authorization of the sale and/or of the purchase of the utility assets by the Public Service Commission of the State of Indiana shall be revoked or otherwise terminated;

An amendment to the application now having been filed with the Commission by Associated Electric Company, successor by merger to Central U. S. Utilities Company; and

The Commission finding that:

1. The Public Service Commission of the State of Indiana had approved the sale to Terre Haute Gas Corporation on December 31, 1940.

2. On January 9, 1941, an injunction suit was instituted in Superior Court No. 2, Vigo County, against Indiana Gas Utilities Company, Terre Haute Gas Corporation, the Public Service Commission of the State of Indiana and others, alleging that the order of approval of that commission was void.

3. On April 7, 1941, the sale by Indiana Gas Utilities Company of its Terre Haute Division to Terre Haute Gas Corporation was consummated.

4. On March 12, 1942, a judgment was rendered in the suit which had been instituted on January 9, 1941, holding that the order issued by the Public Service Commission of Indiana on December 31, 1940, was invalid.

5. On December 30, 1942, the Supreme Court of Indiana issued its opinion affirming the judgment of the Circuit Court, holding that the order of the Public Service Commission of Indiana was invalid.

6. Further hearings on the original application concerning the sale to the Terre Haute Gas Corporation were then ordered by the Public Service Commission of Indiana on February 26, 1943, and, on April 30, 1943, that commission entered its order approving, ratifying and confirming the sale consummated April 7, 1941.

7. On May 11, 1943, the Supreme Court of Indiana, taking cognizance of the

Public Service Commission's new order dated April 30, 1943, approving the sale, and stating that no good purpose would be served by requiring the parties to restore the Terre Haute Division to Indiana Gas Utilities Company, entered a judgment ordering the lower court to modify its judgment, so as to permit the sale of the Terre Haute Division to stand.

Associated Electric Company, successor by merger to Central U. S. Utilities Company, having requested that a supplemental order be entered in these proceedings, ratifying and confirming the consummation of said sale by Indiana Gas Utilities Company of its Terre Haute Division; and

It appearing to the Commission that it is appropriate that a supplemental order be issued:

It is hereby ordered, That the order of this Commission entered on March 18, 1941, approving the sale by Indiana Gas Utilities Company of all the right, title and interest in and to the physical properties, franchises and assets comprising its Terre Haute Division to Terre Haute Gas Corporation, is hereby confirmed and reinstated as of March 18, 1941, and the application pursuant to Rule U-12D-1, as amended by the post-effective amendment of the applicant, is approved and is permitted to become effective nunc pro tunc, as of March 18, 1941, and the action of Central U. S. Utilities Company and Indiana Gas Utilities Company in consummating said sale and/or causing the same to become consummated is hereby approved and confirmed.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-18585; Filed, November 18, 1943;
11:00 a. m.]

WAR FOOD ADMINISTRATION.

SUBURBAN CHICAGO MILK MARKETING AREA, ILL.

PROPOSED MARKETING AGREEMENT AND ORDER

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, and to a proposed marketing order, regulating the handling of milk in the suburban Chicago, Illinois, marketing area.

Pursuant to § 900.12 (a) of the rules of practice and procedure (7 CFR, 1941, Supp., 900.1-900.17; 7 F.R. 3350; 8 F.R. 2615), Food Distribution Administration, War Food Administration, notice is hereby given of the filing with the hearing clerk of this report of the Director of Food Distribution with respect to a proposed marketing agreement and to a proposed marketing order regulating the handling of milk in the Suburban Chicago, Illinois, marketing area. Interested parties may file exceptions to the report with the Hearing Clerk, Room 1331, United States Department of Agriculture, Washington, D. C., not later than the close of business on the 10th day after publication of this notice in the

FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceedings were initiated by the Food Distribution Administration upon receipt of a petition dated July 29, 1943, from the Pure Milk Association of Chicago, Illinois, for a public hearing on a marketing agreement and marketing order program which it proposed. Following this request, and after consideration of the proposal, notice of the hearing was issued on September 13, 1943, and the hearing was convened on September 30, 1943. The time for filing briefs was set at the close of the hearing to expire at midnight October 21, 1943.

The underlying issue in this proceeding is whether or not the War Food Administrator shall issue a marketing order. It is concluded from the record that an order should be issued and that a marketing agreement should be offered to the handlers who regularly sell milk in the prescribed marketing area to be known as the Suburban Chicago, Illinois, marketing area, irrespective of the original source of the milk sold. By this means orderly marketing conditions will be promoted and preserved and the policy of the act will be effectuated.

From the conclusion on the underlying issue, several principal issues pertaining to certain features of the proposed program assume prominence from the record, as follows:

1. What constitutes the most practical marketing area, and what constitutes the supply of milk which should be regulated?

2. At what level shall the minimum class prices be fixed?

3. By what method shall the proceeds of these minimum prices be distributed to producers?

On these issues, it is concluded that:

1. The term "Suburban Chicago, Illinois, marketing area" should be defined as the territory within the city of Barrington in Lake County, the townships of Dundee, Elgin, St. Charles, Geneva, Batavia, and Aurora in Kane County, Cook, Du Page, and Will Counties, Illinois, and all of the territory geographically included within the townships of North, Calumet, and Hobart in Lake County, Indiana, excepting the marketing area described in Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

2. Parity prices calculated from the period August 1919-July 1929 are unreasonable in view of present conditions and that it is necessary to fix prices, under section 8c (18) of the act, such that farmers will receive a price for milk produced for sale in the marketing area sufficient to maintain an adequate supply of pure and wholesome milk for such area, and to be in the public interest.

3. The reserve supplies of milk of the fluid milk plants serving the marketing area are sufficiently well proportioned among the handlers of milk so that equity as among producers and as among handlers may be achieved by requiring each handler to distribute the proceeds of his own utilization of milk among the

producers who supply him, without impeding his drawing upon additional sources of supply occasionally if actually needed.

4. The purchasing power of milk in the Suburban Chicago, Illinois, marketing area specified in section 2 of the act cannot be determined satisfactorily from available statistics of the Department of Agriculture for the period August 1909-July 1914, but can be determined satisfactorily from available statistics of the Department of Agriculture for the post-war period August 1919-July 1929; and that the post-war period should be the base period to be used in determining the purchasing power of milk sold in the Suburban Chicago, Illinois, marketing area.

The following provisions of a proposed marketing order and a proposed marketing agreement are recommended as the detailed means by which these conclusions may be carried out. Sections 14, 15, and 16 as set forth below apply to the proposed marketing agreement only. The remaining provisions are applicable to both the proposed order and proposed agreement.

Findings

It is found upon the evidence introduced at the public hearing held in Chicago, Illinois, September 30 and October 1, 1943:

1. That prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e (50 Stat. 246; 7 U.S.C. 1940 ed. 602, 608c), are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk and that the minimum prices set forth herein are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;

2. That all handling of milk sold or disposed of by handlers as defined in section 1 (d) herein is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce in milk or its products, and that handlers so defined are engaged in the handling of milk which is in the current of interstate commerce or which directly burdens, obstructs, or affects interstate commerce in milk or its products;

3. That the order regulates the handling of milk in the same manner as, and is applicable only to handlers defined in, a marketing agreement upon which a hearing has been held;

4. That a prorata assessment on handlers as provided by section 9 herein at a rate not to exceed 4 cents per hundred-weight on all milk purchased or received from producers, including his own production, and from sources other than producers or other handlers, during each delivery period, will provide the funds

necessary to pay such expenses as necessarily will be incurred by the market administrator for the maintenance and proper functioning of his office; and

5. That the issuance of this order and all of its terms and conditions, will tend to effectuate the declared policy of the act.

Provisions

SECTION 1. *Definitions.* The following terms as used herein shall have the following meanings:

(a) "Suburban Chicago, Illinois, Marketing Area", hereinafter called "marketing area", means all of the territory geographically included within the city of Barrington in Lake County, the townships of Dundee, Elgin, St. Charles, Geneva, Batavia, and Aurora in Kane County, Cook, Du Page, and Will Counties, Illinois, and all of the territory geographically included within the townships of North, Calumet, and Hobart in Lake County, Indiana, excepting the marketing area described in Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

(b) "Person" means individual, partnership, corporation, association, or other business unit.

(c) "Producer" means any person, irrespective of whether such person is also a handler, who produces milk which is received at a plant from which milk is used as Class I in the marketing area during the delivery period, excepting any person who is a producer under Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area: *Provided*, That as determined by the market administrator, more than 10 percent of the total receipts of milk at such plant is used as Class I milk in the marketing area, and such plant handles milk which is used as Class I milk in the marketing area for more than 10 days during the delivery period.

(d) "Handler" means any person who engages in handling milk, all, or any portion, of which is used as Class I milk in the marketing area, and who engages in such handling of milk as is in the current of interstate commerce, or which directly burdens, obstructs, or affects interstate commerce in milk and its products. This definition shall not be deemed to include any person who is subject to the definition of handler under Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

(e) "Market administrator" means the agency which is described in section 2 for the administration hereof.

(f) "Delivery period" means the period from the effective date hereof until the end of the calendar month in which such effective date occurs. Thereafter, "delivery period" shall mean the current calendar month.

(g) "Cooperative association" means any cooperative association of producers which the War Food Administrator determines (1) to have its entire activities under the control of its members, and (2) to have and to be exercising full

authority in the sale of milk of its members.

(h) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

(i) "War Food Administrator" means the War Food Administrator of the United States or any officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers or to perform the duties of the War Food Administrator of the United States hereunder.

SEC. 2. *Market administrator—(a) Selection, removal, and bond.* The agency for the administration hereof shall be a market administrator who shall be a person selected and subject to removal by the War Food Administrator. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the War Food Administrator a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the War Food Administrator.

(b) *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the War Food Administrator.

(c) *Powers.* The market administrator shall have the power: (1) to administer the terms and provisions hereof, and (2) report to the War Food Administrator complaints of violations hereof.

(d) *Duties.* The market administrator, in addition to the duties herein-after described, shall:

(1) Keep such books and records as will clearly reflect the transactions provided for herein;

(2) Submit his books and records to examination by the War Food Administrator at any and all times;

(3) Furnish such information and such verified reports as the War Food Administrator may request;

(4) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(5) Publicly disclose, after reasonable notice, the name of any person who has not made reports, pursuant to section 3, or made payments required by section 8;

(6) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation hereof as does not reveal confidential information;

(7) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof; and

(8) Pay, out of the funds received pursuant to section 9, the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the main-

tenance and functioning of his office and the performance of his duties, except those expenses incurred and provided for under section 10 hereof.

(e) *Announcement of prices.* The market administrator shall compute and publicly announce prices as follows:

(1) Not later than the 5th day after the end of each delivery period, the prices for all classes of milk pursuant to section 5 (a) and the differential pursuant to section 5 (c).

(2) Not later than the 14th day after the end of each delivery period, the uniform price for each handler computed pursuant to section 7 (b).

SEC. 3. *Reports of handlers—(a) Submission of reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, as follows:

(1) On or before the 7th day after the end of each delivery period, each handler who purchases or receives milk during such delivery period from associations of producers and other handlers, with respect to all milk purchased or received from such sources, shall submit to the market administrator and to the association of producers or handlers from whom the milk was purchased or received, a record of the utilization of such milk, classified pursuant to section 4.

(2) On or before the 9th day after the end of each delivery period, the quantity, butterfat test, and butterfat pounds of (i) the receipts of milk at each plant from producers, (ii) the receipts of milk and cream at each plant from other handlers, (iii) the receipts of milk or cream from sources other than producers and handlers, (iv) the receipts at each plant of the milk produced by him, and (v) the utilization of all receipts of milk and cream for the delivery period.

(3) On or before the 9th day after the end of each delivery period, the information requested with respect to producer additions, producer withdrawals, and changes in the names of farm operators.

(4) On or before the 25th day after the end of each delivery period, his producer pay roll, which shall show for each producer (i) the total delivery of milk with the average butterfat test thereof, (ii) the net amount of payment to such producer made pursuant to section 8, (iii) any deductions and charges made by the handler, and (iv) such other information with respect thereto as the market administrator may request.

(b) *Verification of reports and payments.* The market administrator shall verify all reports and payments of each handler by audit of such handler's records, and of the records of any other handler or person upon whose disposition of milk such handler claims classification. Each handler shall keep adequate records of receipts and utilization of milk and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(1) Verify the receipts and disposition of all milk required to be reported pur-

suant to this section, and, in case of errors or omissions, ascertain the correct figures;

(2) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends; and

(3) Verify the payments to producers prescribed in section 8.

Sec. 4. Classification of milk—(a) Basis of classification. All milk received by a handler from producers, associations of producers, and other handlers, including milk produced by him, and including milk or cream purchased or received from sources other than producers or handlers, shall be reported by the handler in the classes set forth in (b) of this section, subject to the following conditions: (1) Milk or skim milk delivered by a handler to another handler shall be classified as Class I milk, and cream, so delivered shall be classified as Class II milk: *Provided*, That if a different classification is agreed upon in written reports to the market administrator than the milk, skim milk, and cream shall be classified according to such agreement: *Provided further*, That in no event shall the amount so reported in any class be greater than the amount used in that class by the receiving handler; (2) Any milk or skim milk moving from the plant of a handler to the plant of a nonhandler shall be classified as Class I milk and any cream moved to such nonhandler shall be classified as Class II milk, excepting milk and cream in excess of the amount of Class I or Class II milk, distributed by such nonhandler: *Provided*, That if notification of a different classification is given by seller and purchaser in written reports to the market administrator then the milk, skim milk, or cream shall be classified according to such notification, subject to verification by the market administrator; (3) Milk that has moved from a plant, which has been determined by the market administrator as not regularly furnishing milk for Class I use and as not receiving milk from producers, to a handler's plant at which milk is received from producers shall be classified in the lowest class for which such handler has milk: *Provided*, That, upon satisfactory evidence to the market administrator, that such milk was needed and used in a higher classification, then such milk may be prorated on the basis of such handler's utilization of all milk; and (4) Milk received by a handler in the form of cream from a nonhandler shall be prorated to and on the basis of such handler's Class II, Class III, and Class IV milk.

(b) *Classes of utilization.* Subject to the conditions set forth in (a) of this section, the classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk disposed of in the form of fluid milk, excluding bulk milk disposed of to bakeries, soup companies, and candy manufacturing establishments, which do not distribute fluid milk, but including bulk milk disposed of to hotels, restaurants, and other retail food establishments, and all milk not accounted for as Class II milk, Class III milk, or Class IV milk.

(2) Class II milk shall be all milk, except skim milk, disposed of in the form of flavored milk and flavored milk drinks, and all milk the butterfat from which is disposed of in the form of sweet or sour cream, cottage cheese, and buttermilk.

(3) Class III milk shall be all milk the butterfat from which is used to produce a milk product other than one of those specified in Class II and Class IV, and all bulk milk disposed of to bakeries, soup companies, and candy manufacturing establishments which do not distribute fluid milk.

(4) Class IV milk shall be all milk the butterfat from which is used to produce butter and cheese, except cottage cheese, and all milk accounted for as actual plant shrinkage: *Provided*, That such plant shrinkage shall not exceed 2 percent of the total receipts of milk from producers and from the handler's own production. Any handler whose report claimed the original classification of milk in this class shall be liable for the difference between the Class IV and Class III prices for the delivery period in which the Class IV classification was claimed on any such milk, if the butterfat used in the production of butter is subsequently used in the production of ice cream or ice cream mix.

(c) *Responsibility of handlers in establishing the classification of milk.* In establishing the classification of milk as required in (b) of this section, the responsibilities of handlers shall be as follows:

(1) In establishing the classification of any milk received by a handler from producers, the burden rests upon the handler who receives the milk from producers to account for the milk and to prove to the market administrator that such milk should not be classified as Class I milk.

(2) With respect to milk, or skimmed milk, disposed of to another handler, the burden rests upon the handler who received the milk from producers to account for the milk, or skimmed milk, and to prove to the market administrator that such milk, or skimmed milk, should not be classified as Class I milk: *Provided*, That if verification by the market administrator discloses a higher utilization than that reported pursuant to section 3 (a) (1) for milk purchased by a handler from a producer or from a cooperative association, the market administrator shall notify the purchasing handler and such handler shall, within 5 days after notification by the market administrator, make adjustment on the basis of such higher utilization as verified by the market administrator.

(d) *Computation of milk in each class.* For each delivery period, each handler shall compute, in the manner and on forms prescribed by the market administrator, the amount of milk in each class, as defined in (b) of this section, as follows:

(1) Determine the total pounds of milk (i) received from producers, (ii) produced by him, (iii) received from other handlers, (iv) received from other sources, and (v) add together the resulting amounts.

(2) Determine the total pounds of butterfat received as follows: (i) multiply the weight of the milk received from producers by its average butterfat test, (ii) multiply the weight of the milk produced by him by its average butterfat test, (iii) multiply the weight of the milk received from other handlers by its average butterfat test, (iv) multiply the weight of the milk received from other sources by its average butterfat test, and (v) add together the resulting amounts.

(3) Determine the total pounds of milk in Class I as follows: (i) convert to quarts the quantity of milk disposed of in the form of milk, and multiply by 2.15, (ii) multiply the result by the average butterfat test, and (iii) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II, Class III, and Class IV milk, computed pursuant to (4) (ii), (5) (ii), and (6) (ii), of this paragraph, is less than the total pounds of butterfat received, computed in accordance with (2) of this paragraph, an amount equal to the difference shall be divided by 3.5 percent and added to the quantity of milk determined pursuant to (i) of this subparagraph.

(4) Determine the total pounds of milk in Class II as follows: (i) multiply the actual weight of each of the several products of Class II milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(5) Determine the total pounds of milk in Class III as follows: (i) multiply the actual weight of each of the several products of Class III milk by its average butterfat test, (ii) add together the resulting amounts, and (iii) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(6) Determine the total pounds of milk in Class IV as follows: (i) multiply the actual weight of each of the several products of Class IV milk by its average butterfat test, (ii) add together the resulting amounts, (iii) subtract the total pounds of butterfat in Class I milk, Class II milk, and Class III milk, computed pursuant to (3) (ii), (4) (ii), and (5) (ii), of this paragraph, and the total pounds of butterfat computed pursuant to (ii) of this subparagraph, from the total pounds of butterfat computed pursuant to (2) of this paragraph, which resulting quantity shall be allowed as plant shrinkage for the purpose of this paragraph (but in no event shall such plant shrinkage allowance exceed 2 percent of the total receipts of butterfat from producers by the handler) and shall be added to the result obtained in (ii) of this subparagraph, and (iv) divide the result obtained in (ii) of this subparagraph by 3.5 percent.

(7) Determine the classification of milk received from producers as follows:

(i) Subtract from the total pounds of milk in each class the total pounds of milk which were received from other handlers and used in such class, as provided for in section 4 (a); and

(ii) Subtract from the total pounds of milk in each class the total pounds of

milk which were received from sources other than producers and handlers and used in such class, as provided for in section 4 (a).

(e) *Reconciliation of utilization of milk by classes with receipts of milk from producers.* In the event of a difference between the total quantity of milk utilized in several classes as computed pursuant to (d) of this section and the quantity of milk received from producers except for excess milk or milk equivalent of butterfat pursuant to section 6 (c), such difference shall be reconciled as follows:

(1) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is less than the receipts of milk from producers, the market administrator shall increase the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

(2) If the total utilization of milk in the various classes for any handler, as computed pursuant to (d) of this section, is greater than the receipts of milk from producers, the market administrator shall decrease the total pounds of milk in Class IV for such handler by an amount equal to the difference between the receipts of milk from producers and the total utilization of milk by classes for such handler.

Sec. 5. Minimum prices.—(a) *Class prices.* Subject to the differentials set forth in (c) and (d) of this section, each handler shall pay, at the time and in the manner set forth in section 8, for milk purchased or received by such handler at a plant, distributing station, or depot located in the marketing area from which milk is disposed of at wholesale or retail, not less than the prices set forth in this section.

(1) *Class I milk.* The price per hundredweight for Class I milk during each delivery period shall be the price determined pursuant to (b) of this section, plus 60 cents: *Provided*, That whenever the War Food Administrator finds and announces that the Class I price so computed for any delivery period is not in accord with the public interest, the Class I price for such delivery period shall be the same as the Class I price for the delivery period immediately preceding.

(2) *Class II milk.* The price per hundredweight for Class II milk during each delivery period shall be the price determined pursuant to (b) of this section, plus 32 cents.

(3) *Class III milk.* The price per hundredweight for milk containing 3.5 percent butterfat during each delivery period shall be the average computed by the market administrator, of prices reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) paid during such delivery period to farmers at each of the places or evaporated milk plants where milk is received from producers, as hereinafter listed, and for which prices are reported, but in no event shall such price be less than the price

computed pursuant to the formula set forth in (b) of this section.

Concern:	Location
Borden Co.	Black Creek, Wis.
Borden Co.	Greenville, Wis.
Borden Co.	Mount Pleasant, Mich.
Borden Co.	New London, Wis.
Borden Co.	Orfordville, Wis.
Carnation Co.	Berlin, Wis.
Carnation Co.	Jefferson, Wis.
Carnation Co.	Chilton, Wis.
Carnation Co.	Oconomowoc, Wis.
Carnation Co.	Richland Center, Wis.
Carnation Co.	Sparta, Mich.
Pet Milk Co.	Belleville, Wis.
Pet Milk Co.	Coopersville, Mich.
Pet Milk Co.	Hudson, Mich.
Pet Milk Co.	New Glarus, Wis.
Pet Milk Co.	Wayland, Mich.
White House Milk Co.	Manitowoc, Wis.
White House Milk Co.	West Bend, Wis.

(4) *Class IV milk.* Multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the delivery period during which such milk was received, and add 20 percent: *Provided*, That such price shall be subject to the following adjustments: (1) add $3\frac{1}{2}$ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above $5\frac{1}{2}$ cents per pound, or (2) subtract $3\frac{1}{2}$ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below $5\frac{1}{2}$ cents per pound. For purposes of determining this adjustment the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) for the Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event the United States Department of Agriculture does not publish carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, shall be used. In the latter event the Class IV price shall be subject to the following adjustments: (i) add $3\frac{1}{2}$ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption, delivered at Chicago, is above $7\frac{1}{2}$ cents per pound, or (ii) subtract $3\frac{1}{2}$ cents per hundredweight for each full one-half cent that such price of dry skim milk is below $7\frac{1}{2}$ cents per pound.

(b) *Basic formula price to be used in determining Class I and Class II prices.* The basic formula price to be used in determining the prices per hundred-

weight of Class I and Class II milk, set forth in this section, shall be the price for Class III milk determined pursuant to (a) (3) of this section, the price for Class IV milk determined pursuant to (a) (4) of this section, or that derived from the following formula, whichever is the highest:

(1) Multiply the average wholesale price per pound of 92-score butter at Chicago for the delivery period as reported by the United States Department of Agriculture (or by such other Federal agency as may hereafter be authorized to perform this price reporting function) by six (6);

(2) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this formula;

(3) Divide by seven (7), the sum so determined, being hereafter referred to in this paragraph as the "combined butter and cheese value";

(4) To the combined butter and cheese value add 30 percent thereof; and

(5) Multiply the sum computed in (4) of this paragraph by 3.5.

(c) *Butterfat differential to handlers.* If any handler has purchased or received milk from producers containing more or less than 3.5 percent butterfat, such handler shall add or deduct, per hundredweight of milk, for each one-tenth of 1 percent butterfat above or below 3.5 percent, an amount computed as follows: to the average price per pound of 92-score butter at wholesale in the Chicago market, as computed under (a) (4) of this section, add 20 percent and divide the result by 10.

(d) *Location adjustments to handlers.*

(1) With respect to milk purchased or received from producers at a plant located more than 70 miles by rail or highway, whichever is the shorter, from the City Hall in Chicago, Illinois, which is classified as Class I milk or Class II milk, there shall be deducted 10 cents per hundredweight, plus 2 cents per hundredweight and $\frac{1}{4}$ cent per hundredweight on each class, respectively, for each additional 15 miles or part thereof that such plant is located in excess of 70 miles from the City Hall in Chicago, Illinois: *Provided*, That no such deduction shall apply to unaccounted for milk classified as Class I milk pursuant to section 4 (d) (3) and such milk shall be considered to have been received at the most distant plant at which the handler received milk from producers: *Provided further*, That if any handler can prove to the market administrator that the l. c. l. freight rate, approved by the Interstate Commerce Commission, or the State authorities having the power to fix intrastate rail rates, for the movement of cream in 40-quart cans from the shipping point for the plant where such milk is received from producers to the marketing area is

greater than $\frac{1}{4}$ cent per hundredweight of milk, such actual freight rate shall be allowed such handler on Class II milk, but in no case shall such rate exceed $\frac{1}{2}$ cent per hundredweight of milk. There shall be no location adjustment to handlers with respect to Class III milk or Class IV milk.

(2) For purposes of this paragraph and of section 4, Class I milk shall be considered to be that milk purchased or received from producers at plants located in or nearest to the marketing area at which milk is received from producers: *Provided*, That when actual shipments of milk by any handler from two or more plants located in different zones are shown to be in excess of such handler's Class I milk, the location adjustments on Class I milk, as provided in this section shall be applied to such milk, up to and including 110 percent of such handler's Class I milk. Class II milk shall be considered to be that milk purchased or received from producers at plants located nearest to the marketing area after accounting for Class I milk, from which whole milk or cream is shipped to the marketing area: *Provided further*, That upon proof satisfactory to the market administrator that Class II milk was received from producers at a more distant plant, location adjustment shall be allowed from the plant at which such Class II milk was received from producers.

SEC. 6. *Application of provisions—(a) Handlers who are also producers.* (1) No provision hereof shall apply to a handler whose sole sources of supply are receipts of milk from his own production and from other handlers, except that such handler shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(2) In computing the value of milk for any handler pursuant hereto, the market administrator shall consider any milk or cream received in bulk by such handler from a handler who is also a producer as described in this section as a receipt from a producer.

(b) *Payment for milk received from sources determined as other than producers or other handlers or from plants not covered by the proviso of section 1 (c).* If any handler has received milk from sources determined by the market administrator to be other than producers or handlers, or from a plant not covered by the proviso of section 1 (c), the difference between the value of such milk according to its use as Class I or Class II milk, as computed pursuant to section 7 (a), and its value at the Class III price shall be paid to producers: *Provided*, That if such handler proves to the satisfaction of the market administrator that he paid more than the Class III price for such milk, the market administrator may use the price paid instead of the Class III price in making this computation. If such milk is used as Class III or Class IV milk, no price adjustment shall be made.

(c) *Payment for excess milk or butterfat.* In the event that a handler, after subtracting receipts from other handlers, and receipts from sources deter-

mined as other than producers or other handlers, had disposed of milk or butterfat in excess of the milk or butterfat which has been credited to his producers as having been delivered by them, the value of such milk or milk equivalent of such butterfat in accordance with its utilization shall be added to such handler's obligations to producers pursuant to section 7 in the computation of the uniform price for the delivery period next following the discovery thereof.

SEC. 7. *Determination of minimum prices to be paid to producers—(a) Computation of value of milk for each handler.* For each delivery period the market administrator shall compute the value of all milk received by each handler from producers by (1) multiplying the total quantity of such milk in each class as determined pursuant to section 4 by the class price with the appropriate differential applicable pursuant to section 5 (c), (2) adding together the resulting values of each class, and (3) adding any amount computed to be paid pursuant to section 6.

(b) *Computation of uniform price for each handler.* The market administrator shall compute for each handler the uniform price per hundredweight of milk received at such handler's plant, as follows:

(1) To the value computed pursuant to (a) of this section:

(i) Add to the value computed pursuant to (a) of this section the total amount of the location adjustments applicable pursuant to section 8 (c).

(ii) Deduct, if the average butterfat content of all milk received from producers is in excess of 3.5 percent, or add, if the average butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to section 8 (b).

(iii) Add or subtract the moneys resulting from the fractional cents used in adjusting previous month's price to the nearest cent.

(iv) Divide by the hundredweight of milk received from producers.

(v) Adjust the resulting price to the nearest cent.

SEC. 8. *Payment for milk—(a) Time and method of payment.* On or before the 18th day after the end of each delivery period each handler shall pay each producer, for milk purchased or received during the delivery period, an amount of money representing not less than the total value of such milk, at the uniform price per hundredweight, computed pursuant to section 7 (b) subject to the location adjustments and butterfat differential set forth under (b) of this section.

(b) *Butterfat differential to producers.* For each one-tenth of 1 percent of average butterfat content above or below 3.5 percent in milk received from any producer during the delivery period, the uniform price paid to such producer shall be plus or minus, as the case may be, an amount computed as follows: to the average wholesale price per pound of 92-score butter in the Chicago market, as computed under section 5 (a) (4), add 20 percent, and divide the result by 10.

(c) *Location adjustments to producers.* In making payments to producers pursuant to paragraph (a) of this section, handlers shall deduct with respect to all milk purchased or received from producers at a plant located more than 70 miles by rail or highway, whichever is the shorter, from the City Hall in Chicago, Illinois, the amount specified as follows:

	Cents per hundredweight
Within 71 to 85 miles.....	12
Within 85.1 to 100 miles.....	14
Within 100.1 to 115 miles.....	16
Within 115.1 to 130 miles.....	18
Within 130.1 to 145 miles.....	20
Within 145.1 to 160 miles.....	22
Within 160.1 to 175 miles.....	24

For each 15 miles or part thereof beyond 175 miles from the City Hall in Chicago, Illinois, an addition $\frac{1}{2}$ cent per hundredweight.

SEC. 9. *Expense of administration.* As his prorata share of expense of the administration hereof each handler, except handlers described under section 6 (a) (1) and handlers whose plants are not covered by the proviso of section 1 (c), shall pay to the market administrator, on or before the 18th day after the end of each delivery period, an amount not exceeding 4 cents per hundredweight with respect to all milk purchased or received by him during such delivery period from producers, including own production, and from sources other than producers or other handlers, the exact sum to be determined by the market administrator, subject to review by the War Food Administrator.

SEC. 10. *Marketing services—(a) Marketing service deduction.* In making payments to producers pursuant to section 8, each handler, with respect to all milk received from each producer during each delivery period, at a plant not operated by a cooperative association of which such producer is a member, shall, except as set forth in (b) of this section, deduct 3 cents per hundredweight (or such lesser amount as the market administrator shall determine to be sufficient, such determination to be subject to review by the War Food Administrator), and shall, on or before the 18th day after the end of such delivery period, pay such deductions to the market administrator. Such moneys shall be expended by the market administrator for verification of weights, samples, and tests of milk received from such producers and in providing for market information to such producers. The market administrator may contract with an association or associations of producers for the furnishing of the whole or any part of such services to, or with respect to, the milk received from such producers.

(b) *Marketing service deductions with respect to members of a producers' cooperative association.* In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members and for whom a cooperative association is actually performing the services set forth in (a) of this section, each handler shall, in lieu of the deductions specified in (a) of this section, make such deductions from payments

made pursuant to section 8 as may be authorized by such producers, and pay over, on or before the 18th day after the end of each delivery period, such deductions to the associations rendering such service of which such producers are members.

SEC. 11. *Effective time, suspension, or termination*—(a) *Effective time*. The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended, or terminated, pursuant to (b) of this section.

(b) *Suspension or termination*. Any or all of the provisions hereof, or any amendment hereto, shall be suspended or terminated as to any or all handlers after such reasonable notice as the War Food Administrator may give and, in any event, shall terminate whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator*. (1) If, upon the suspension or termination of any or all provisions hereof there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(2) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until removed, (ii) from time to time account for all receipts and disbursements and when so directed by the War Food Administrator deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the War Food Administrator shall direct, and (iii) if so directed by the War Food Administrator, execute assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

(d) *Liquidation after suspension or termination*. Upon the suspension or termination of any or all provisions hereof of the market administrator, or such person as the War Food Administrator may designate, shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to

the contributing handlers and producers in an equitable manner.

SEC. 12. *Agents*. The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

SEC. 13. *Emergency price provision*. Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided*, That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further*, That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

SEC. 14. *Liability of handlers*. The liability of the handlers hereunder is several and not joint, and no handler shall be liable for the default of any other handler.

SEC. 15. *Counterparts and additional parties*—(a) *Counterparts of marketing agreement*. This marketing agreement may be executed in multiple counterparts and when one counterpart is signed by the War Food Administrator all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to the marketing agreement*. After this agreement first takes effect, any handler may become a party thereto if a counterpart of such agreement is executed by him and delivered to the War Food Administrator. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the War Food Administrator, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.

SEC. 16. *Record of milk handled and authorization to correct typographical errors*. (a) The undersigned certifies that he handled during the month of September 1943, _____ pounds of milk covered by this agreement and disposed of within the marketing area.

(b) *Authorization to correct typographical errors*. The undersigned hereby authorizes the Chief or Acting Chief, Dairy and Poultry Branch, Food Distribution Administration, War Food Administration, to correct any typo-

graphical errors which may have been made in this marketing agreement.

In witness whereof, the contracting handlers acting under the provisions of the act for the purposes and subject to the limitations herein contained, and not otherwise, have hereunto set their respective hands and seals.

Name

Address

This report filed at Washington, D. C., this 17th day of November 1943.

S. R. SMITH,
Acting Director of
Food Distribution.

[F. R. Doc. 43-18536; Filed, November 17, 1943;
3:38 p. m.]

DESIGNATION OF REGIONAL AREAS

Pursuant to the power vested in the Director of Food Distribution, there is hereby issued the following amended list of the Regional Offices of the Food Distribution Administration, War Food Administration, and the states served by each region:

Northwest region. The Regional Director, Food Distribution Administration, War Food Administration, 150 Broadway, New York (7), N. Y.:

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia.

Southern region. The Regional Director, Food Distribution Administration, War Food Administration, Marietta and Forsyth Streets, Atlanta (3), Georgia:

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

Midwest region. The Regional Director, Food Distribution Administration, War Food Administration, 5 South Wabash Avenue, Chicago (3), Illinois:

Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

Southwest region. The Regional Director, Food Distribution Administration, War Food Administration, 425 Wilson Building, Dallas (1), Texas:

Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, and Texas.

Western region. The Regional Director, Food Distribution Administration, War Food Administration, 821 Market Street, San Francisco (3), California:

Arizona, California, Idaho, Nevada, Montana, Oregon, Utah, Washington, Wyoming, and Territory of Hawaii.

This designation supersedes the designation appearing in the issue of Wednesday, July 7, 1943, as amended (8 F. R. 9315, 11198).

Done at Washington, D. C., this 18th day of November 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-18594; Filed, November 18, 1943;
11:27 a. m.]

DIRECTOR OF FOOD DISTRIBUTION

DELEGATION OF AUTHORITY

Pursuant to the power vested in the War Food Administrator (Executive Orders 9280, 9322, 9334, and 9392; 7 F.R. 10179, 8 F.R. 3222, 5423, and 14783), all of the functions, duties, powers, authority, and discretion vested in, or exercised by, Roy F. Hendrickson, either in his capacity as Director of Food Distribution, or in his former capacity as Administrator of the Agricultural Marketing Administration (which was consolidated into and succeeded by the Food Distribution Administration), except as heretofore superseded or revoked, and all actions taken thereunder, are hereby confirmed and ratified.

Done at Washington, D. C., this 18th day of November 1943.

GROVER B. HILL,
First Assistant
War Food Administrator.

[F. R. Doc. 43-18593; Filed, November 18, 1943;
11:27 a. m.]

WAR PRODUCTION BOARD.

[Certificate 162]

DISTRIBUTORS OF CARBONATED BEVERAGES
IN WEST VIRGINIA

APPROVAL OF ODT PLAN

The ATTORNEY GENERAL:

I submit herewith a recommendation of the Director of the Office of Defense Transportation concerning a plan for joint action by Huntington Coca-Cola Bottling Company and certain others in the transportation and delivery by motor vehicle of carbonated beverages in West Virginia.¹

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,
Chairman.

NOVEMBER 12, 1943.

[F. R. Doc. 43-18524; Filed, November 17, 1943;
12:02 p. m.]

¹ *Supra*.

WAR SHIPPING ADMINISTRATION.

VESSELS "BARRALLTON", "LAKE CRYSTAL",
AND "LAKE HEMLOCK"

DETERMINATION OF OWNERSHIP

Notice of determination of War Shipping Administration with respect to the vessels "Barrallton," Official Number 218009, "Lake Crystal," Official Number 216168, and "Lake Hemlock," Official Number 216261, pursuant to section 3 (b) of the Act approved March 24, 1943, (Pub. Law 17, 78th Cong.).

Notice is given that pursuant to section 3 (b) of the Act approved March 24, 1943, Public Law 17, 78th Congress, 1st session, the following determinations have been made:

Whereas on October 2, 1942, the title to the vessel "Barrallton," Official Number 218009, (including all spare parts appertaining thereto, whether aboard or ashore), was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas on October 23, 1942, the title to the vessel "Lake Crystal," Official Number 216168 (including all spare parts appertaining thereto, whether aboard or ashore), was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas on October 23, 1942, the title to the vessel "Lake Hemlock," Official Number 216261, (including all spare parts appertaining thereto, whether aboard or ashore), was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Congress, 1st session), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, of just compensation therefor that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the

original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the expiration of a period of two months after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner.

and

Whereas just compensation for the said vessels has not been determined by the Administrator, War Shipping Administration, and no part thereof has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessels, their spare parts and appurtenances, is not required by the United States; and

Whereas, by mutual agreement between the Administrator, War Shipping Administration, and the Ford Motor Company of Dearborn, Michigan, the former owner of said vessels, the former owner has consented to the determination by the Administrator that the use rather than the title of the said vessels, their spare parts and appurtenances, shall be deemed to have been requisitioned as of the date of the original taking thereof;

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provision of law, do determine that the ownership of said vessels, their spare parts and appurtenances, is not required by the United States, and that the requisition of the above-mentioned vessels, their spare parts and appurtenances, shall be deemed to have been, for all purposes, a requisition of the use rather than of the title of said vessels, their spare parts and appurtenances, as of the date of the original taking thereof, such conversion to be effective on and after the date of publication hereof in the FEDERAL REGISTER.

This notice of determination of ownership, upon publication, shall supersede the notice of determination of ownership heretofore published in the FEDERAL REGISTER for Tuesday, November 9, 1943, Volume 8, Number 222, Page 15417.

[SEAL]

E. S. LAND,
Administrator.

NOVEMBER 18, 1943.

[F. R. Doc. 43-18581; Filed, November 18, 1943;
10:55 a. m.]

